

APPEARANCES

DHEC staff present:

Donna Moye
Kristy Ellenberg
Justin Koon
Juli Blalock
Katherine Yon
Lawra Boyce
Jill Stewart
Chris Stout
Tim Eleazer
Sean Briggs
Shannon Hicks

Speakers from the public:

Carl Hackling
Rita Etheridge
William Ravenel
Lynn Wiggins
Linda Besserer
Brad Simpson
Jim Fisher
Paul Meehan
Dave Park
Michael Mitelman
Greg Lyons
Lance Pyle
John Lawson
Joanne Mount
Risa Prince
Judith Berry
Ed Logue
Laura Meagher
Keith Schlegel
Ken Couch
Nick Akers
Sam Scruggs

1 PROCEEDINGS

2 MS. ELLENBERG: Good evening, everyone, and welcome. I
3 have 6:30. Looks like we have a lot of people
4 joining us and just a -- a quick reminder, we are
5 muting lines as you're joining the call. So thank
6 you so much for being here. I have 6:30, so I
7 think it's time for us to get started. I know
8 we're expecting a large crowd. We already have a
9 large crowd, and it may continue growing in the
10 next few minutes.

11 But hello and welcome tonight. Thank you
12 again for joining us for DHEC's virtual public
13 meeting on the proposed ArborNature Transfer
14 Station. This is actually a second virtual public
15 meeting on this topic; there was one earlier, two
16 weeks ago on September 10th.

17 I'm Kristy Ellenberg, and I'm the director of
18 collaborative partnerships for DHEC's Office of
19 Environmental Affairs, and I'll be serving as your
20 technology host as well as a cofacilitator for
21 tonight's virtual meeting. There also several
22 other people on our tech team who are assisting me
23 tonight. I'll ask them to introduce themselves.

24 MR. BRIGGS: Good evening, everyone. This is Sean
25 Briggs.

1 MS. BOYCE: Good evening, everyone. This is Lawra
2 Boyce.

3 MS. YON: Good evening, everyone. This is Katherine
4 Yon.

5 MS. ELLENBERG: Thanks, gang. We have some people who
6 will be helping behind the scenes, especially as we
7 have a facilitated discussion a little bit later.
8 In a few minutes, you'll be introduced to several
9 other DHEC staff who are also involved in tonight's
10 virtual meeting.

11 We're using this technology to provide
12 opportunities for continued participation in our
13 decision-making processes while we all do our part
14 to reduce the spread of coronavirus by following
15 current federal and state guidelines that promote
16 social distancing. We want to hear from all who
17 are interested, but as the state's public health
18 agency, we must also make public health and safety
19 a priority. We encourage you to help stop the
20 spread of COVID by washing hands, staying home when
21 sick, covering coughs, and keeping surfaces clean.
22 Most importantly, stay up to date and stay informed
23 of COVID-19 by vising our website
24 scdhec.gov/covid19.

25 Your participation is important to us, so

1 we've gone to some extensive efforts to ensure that
2 anyone who's interested in engaging with us has the
3 ability to do so. We are expecting, really, our
4 largest virtual meeting crowd tonight, so we hope
5 you will work with us as we try to hear from y'all
6 as much as possible. We're continuing to evaluate
7 the tools and accommodations that we use.

8 (Technical interruption) that we may be able to
9 improve your experience with virtual participation,
10 so please give your thoughts in the feedback survey
11 that will be posted on the webpage after tonight's
12 meeting.

13 Just a quick tip for some improved
14 connections: We encourage you to close other
15 applications that may be running on your computer
16 or turn off other streaming services or devices at
17 your location for the duration of the virtual
18 meeting if you need to improve the quality of that
19 connection. All lines have been muted in order to
20 minimize background noise and echoing so that
21 everyone can hear the presenters. After the
22 presentation, we'll be unlocking the lines, which
23 will provide you an opportunity to share concerns
24 and ask questions as well.

25 The virtual meeting is being recorded, and

1 that recording will be placed on our webpage in the
2 next few days. And I'm seeing that we have already
3 started the recording tonight.

4 Donna Moye will be joining me tonight helping
5 me facilitate, and after the presentation, Donna
6 and I will share some additional instructions for
7 our facilitated discussions. So, Donna, if you're
8 ready, let's go ahead and get started.

9 MS. MOYE: Thank you, Kristy. Can you hear me?

10 MS. ELLENBERG: Yep. I can.

11 MS. MOYE: Great. Hello and welcome. My name is Donna
12 Moye. I am the public participation coordinator
13 for DHEC's Bureau of Land and Waste Management in
14 Columbia. It is a pleasure to be here with you
15 again and, on behalf of DHEC, I would like to thank
16 you for taking the time to join us remotely.

17 As you know, DHEC held a virtual public
18 meeting earlier this month on September 10th to
19 discuss the proposed ArborNature Construction and
20 Demolition Debris Transfer Station. We are holding
21 this second public meeting because we recognize
22 that this is an important issue not only for your
23 community but for each of you personally as well.

24 Like the first meeting, our purpose tonight is
25 to listen to your concerns and questions, share

1 information with you, and ensure that you know how
2 to stay connected with us throughout this process.
3 Our goal for this meeting is to continue our
4 conversation with you and for you to know that your
5 voice has been heard prior to a final decision
6 being made. The perspective that each of you bring
7 here tonight is unique and valued.

8 It is very important for us to continue to
9 receive your input so that we understand all
10 concerns and how they may relate to DHEC's
11 permitting decision. Your comments have and may
12 still provide crucial information about additional
13 issues to be considered in the permitting process.

14 As was the case with our meeting held two
15 weeks ago, we are pleased to see that we have a
16 very large crowd tonight. Our hope is that those
17 who were not able to join our first meeting or ask
18 a question will have the opportunity to do so
19 tonight. We do recognize that we will not be able
20 to hear from everyone. We want to make sure you
21 know that this meeting is one step in our process
22 of engaging with you. If you are not able to share
23 your concerns with us tonight, we encourage you to
24 share them with us by phone, mail, or e-mail, and
25 of course, at the public hearing that will be held

1 in October.

2 I would like to remind you that DHEC has
3 created a webpage for access to information about
4 the proposed transfer station. As previously
5 mentioned, this meeting is being recorded and will
6 be posted on the webpage along with the
7 presentation that is given tonight. That webpage
8 address is www.scdhec.gov/ArborNature.

9 An overview of the proposed transfer station
10 will be given tonight by Justin Koon. Following
11 Justin's presentation, we will have a facilitated
12 discussion. As Kristy mentioned earlier, we will
13 give instructions on how to participate and share
14 questions at that time. We ask that you hold any
15 questions you have during the presentation until
16 the question-and-answer session.

17 From the comments shared during our first
18 public meeting two weeks ago and those shared by
19 e-mail and conversations with our staff, we
20 understand there are a variety of concerns about
21 the proposed transfer station. Please remember
22 that the focus of this public meeting is on DHEC's
23 role as the state's environmental permitting
24 authority. A final decision will not be made
25 tonight and will not be based upon how many people

1 say the same thing.

2 This online platform enables two-way
3 communication with DHEC staff. It also has its own
4 unique challenges. We appreciate your patience and
5 understanding as we work through any technical
6 issues that may arise. With that, we will move on
7 to our agenda and opening remarks by Juli Blalock.
8 Juli?

9 MS. BLALOCK: (Technical interruption.) Can everybody
10 hear me?

11 MS. MOYE: We can hear you, Juli.

12 MS. BLALOCK: Okay. I'm Juli Blalock. I'm one of the
13 assistant bureau chiefs in DHEC's Bureau of Land
14 and Waste Management, and as Donna mentioned, we
15 are here tonight to listen to any new comments you
16 may have about the proposed ArborNature Transfer
17 Station and to follow up on concerns that were
18 raised at the public meeting held on September
19 10th.

20 For those of you participating by computer,
21 you should be able to see the agenda on your screen
22 at this time. And for those of you joining us by
23 phone, we will conduct the meeting by first giving
24 an overview, as Donna said, of the facility
25 followed by a facilitated discussion of those

1 previously shared concerns and comments. We will
2 end the meeting with the next steps and how you can
3 stay involved, so we hope you will stay for the
4 entire meeting.

5 Since our last meeting, we have been looking
6 into many of your concerns and continue to gather
7 additional information. One of the biggest
8 concerns we've heard, as stated in the agency's
9 mission statement is DHEC's role in improving the
10 quality of life for South Carolinians by protecting
11 and promoting the health of the public and the
12 environment. DHEC is committed to fulfilling the
13 agency's responsibilities to protect and promote
14 the health of the public and the environment.
15 Through the exercise of these responsibilities,
16 DHEC works to improve the quality of life of
17 individuals and communities.

18 However, the agency may only act within the
19 limits of its statutory and regulatory authority.
20 Through statutes and regulations, the General
21 Assembly has established conditions and criteria
22 the agency uses to ensure public health and
23 environmental protection.

24 As part of many of our permitting processes,
25 DHEC engages surrounding communities and the

1 general public prior to issuing a permit for
2 several reasons: first, to provide information
3 about the proposed permitting activities in those
4 communities; to give you the community members and
5 other interested parties an opportunity to bring
6 relevant information to DHEC to consider prior to
7 issuing or making a permit decision; and to provide
8 an opportunity to bring other concerns to the
9 attention of DHEC and the applicant.

10 The public meeting tonight is just one way to
11 receive your comments and hear your concerns. DHEC
12 is committed to addressing all these comments and
13 concerns and to consider any relevant information
14 prior to making a final permit decision. Public
15 input is an important component of our permitting
16 process and can result in changes to permit
17 conditions and operational practices.

18 We recognize there can be concerns outside of
19 DHEC's permitting authority, such as noise and
20 truck traffic and potential impact to property
21 values, that may affect the quality of life for a
22 community. When there are concerns outside of
23 DHEC's permitting authority, we work to bring the
24 applicant and community members together to discuss
25 those concerns. Our experience is that most

1 permitted businesses want to be good neighbors and
2 are willing to work with the surrounding community
3 to address quality of life concerns.

4 Again, we look forward to hearing any
5 additional concerns tonight and revisiting some of
6 the questions raised on September 10th. Many of
7 you participated in the first public meeting, but
8 some of you may be joining us tonight for the first
9 time. Prior to our facilitated discussion, we
10 would like to give this brief overview of the
11 proposed transfer station, so at this time, I would
12 like to turn the meeting over to Justin Koon,
13 manager of the Solid Waste Permitting and
14 Monitoring Section, for the presentation. Justin?

15 MR. KOON: Thank you, Juli. So, again, my name is
16 Justin Koon. I'm the manager of the Solid Waste
17 Permitting and Monitoring Section here at DHEC.
18 Tonight we're going to provide just a slimmed down
19 version of the presentation that was given on
20 September the 10th. If you'd like to see the --
21 the full version of the presentation, I encourage
22 you to go back to the website, and it's posted
23 there. And you can also listen to the recording of
24 the -- the meeting. All right. But tonight we're
25 going to talk about just general information, the

1 buffer requirements, and the design requirements.

2 So ArborNature, LLC, is the applicant for this
3 project. Tonight we're here to talk about the
4 transfer station application. ArborNature is also
5 proposing to have a composting facility located at
6 this site, which is located at 26 Summit Drive on
7 Hilton Head Island. The site is approximately
8 4 acres in size. They're proposing to store 240
9 tons of construction and demolition debris at the
10 site. These proposed activities have been approved
11 by the Town of Hilton Head through their zoning
12 department.

13 The buffer requirements, as mentioned
14 previously, the operating area is required to be at
15 least 100 feet from property lines, 200 feet from
16 any surface water, and that excludes drainage
17 ditches and sedimentation ponds. The operating
18 area is also required to be 200 feet from
19 residences, schools, hospitals, or recreational
20 parks; 100 feet from any drinking water well. The
21 operating area cannot be located in a wetland. And
22 then, whenever possible, transfer stations shall
23 not be constructed in a 100-year floodplain. There
24 are no buffer requirements for an airport.

25 So we've got the site map up at the moment,

1 and I've taken some of the comments I've received
2 to hopefully improve the -- the map. But as you
3 can see, to the south is the wetland boundary line.
4 I'm kind of highlighting that. It's in the dark
5 blue line to the south of the site.

6 The parcel boundary is the orange line.

7 The green boxes, these indicate the areas
8 where the composting facility would store land-
9 clearing debris and the mulch after it's ground.
10 So that -- that's the green boxes.

11 The purple area here in the center is the
12 operational area.

13 The dashed purple line is the 200-foot buffer
14 that's required to residences and surface waters.

15 The dark blue here is an infiltration basin
16 that's being proposed as part of the -- the
17 stormwater requirements.

18 And then the dashed green line to the north
19 and east of the site is the drainage ditch.

20 And then we also have a dashed blue line in
21 here that is the 100-foot setback to the property
22 line.

23 All right. So some of the design
24 requirements: Again, they have to have proper on-
25 site roads; access control, which could be a gate

1 or a fence or a berm; signage; an agreement with
2 the fire department; a low permeability pad. And
3 then, due to the nature of the waste, which again
4 is construction and demolition debris, the
5 following design criteria may not be required: a
6 water supply for cleaning the pad that is equipped
7 with drains or pumps; an enclosed building; and an
8 exhaust removal system.

9 I'm now on Slide 12, the application review
10 process. So we received the application on March
11 the 4th, 2020. We noticed the draft permit on June
12 the 10th of 2020. On August the 18th, we noticed
13 that we would hold a public meeting and a public
14 hearing, and we did that in "The Island Packet."
15 On September the 10th, we held our first public
16 meeting, and tonight we're hosting the second
17 public meeting. Again, on October the 22nd, we'll
18 have the public hearing, and on November the 5th,
19 that is the date that the extended DHEC public
20 comment period closes. After notice of a final
21 permitting decision, whether that's to approve or
22 deny the application, a party has 15 days to file
23 for a request for review with the SC DHEC Board of
24 Directors.

25 So how can you provide comments? Again, you

1 can submit those by mail or e-mail through November
2 the 5th of 2020 to myself, Justin Koon. The
3 address is 2600 Bull Street, Columbia, South
4 Carolina 29201. Again, we have the application and
5 the draft permit on our website at
6 www.scdhec.gov/ArborNature. For this facility, you
7 can contact here in the central office Tim Eleazer,
8 who is one of the permitting engineers who reviews
9 transfer station applications. In our local
10 office, Reahnita Tuten is the regional inspector.

11 All right. So that concludes tonight's
12 presentation portion. At this time, we're going to
13 turn it back over to Kristy Ellenberg. Kristy?

14 MS. ELLENBERG: Thanks, Justin. So tonight, we're going
15 to have a little bit different format from two
16 weeks ago in how we can kind of structure our
17 conversation and our discussion. We do want to
18 make sure we're sharing in one conversation where
19 everyone's participating and can be heard by all.

20 We did hear from you in that feedback survey
21 that the Q&A feature was a bit frustrating two
22 weeks ago when we met. I can tell you, from the
23 tech team side, we had over 60 questions and
24 concerns that were shared in that Q&A board, and so
25 we weren't able to share all those verbally back

1 into the larger conversation in our three-hour
2 meeting. And we also -- we were focused on the
3 large number of people that preregistered to speak.
4 We appreciated all their comments, but we wanted to
5 make it where you can participate in the
6 conversation as we go forward tonight.

7 So our team has prepared a summary of the most
8 frequently received concerns that we've heard, not
9 just during the meeting, not just from the Q&A
10 board, but also additional conversations that our
11 staff has had with many of you either by e-mail or
12 phone or otherwise since that previous meeting.
13 And we kind of grouped those concerns into four
14 broad categories. We're going to get into more
15 detail of what this includes, but those four broad
16 categories are the site-specific concerns; water-
17 quality concerns; concerns with operation,
18 compliance, and inspection; and then just a lot of
19 questions about our permitting and decision-making
20 process.

21 So what we're going to do tonight is make sure
22 that we kind of share through those. We're going
23 to go through each category, and at each of those
24 four categories, we're going to stop and ask you if
25 there are other concerns for that group that we

1 need to hear, that we need to capture, that we need
2 to get some more information on. And after we do
3 that, we'll go to some general Q&A and make sure
4 that we're able to continue our discussion from
5 there.

6 So, Donna, do you want to talk a little bit
7 about the meeting guidelines of how everybody can
8 be part of this discussion?

9 MS. MOYE: Sure, Kristy. So as we move on to our
10 facilitated discussion, there are four guidelines
11 that we would really like for you to remember as we
12 continue through the discussion tonight. The first
13 of those is to please be respectful of the time,
14 the meeting format and of each other. Secondly,
15 please only ask one question when you are called
16 on. As previously stated, we have a very large
17 crowd tonight and we may not be able to hear from
18 everyone.

19 MS. ELLENBERG: Is everyone able to see that slide right
20 now? It looks like I'm having a "loading" symbol.
21 See if our tech team can take control and get it to
22 the right slide, Donna.

23 MS. YON: I'm seeing it, Kristy. Where does it need to
24 go?

25 MS. MOYE: Okay. So as I was stating, please recognize

1 that we may not be able to hear from everyone
2 during this meeting, but we do encourage you to
3 continue reaching out to us afterwards. And,
4 thirdly, for the -- for the ground rules and -- and
5 the guidelines for the meeting, we ask that you not
6 interrupt a speaker or ask others to respond while
7 you are speaking.

8 So with that, Kristy, I believe that we have
9 the guidelines on the -- the slide that is shown
10 here. If you would like to speak, if you are
11 joining us by phone, you will press six to unmute
12 indicating that you would like to speak or, when
13 joining by computer, you would use the microphone
14 icon. And, again, we will ask it at certain points
15 -- as we go over each -- each one of those broad
16 topics, we will ask if -- if anyone has any other
17 comments, and this is how you let us know that you
18 have an additional comment.

19 MS. ELLENBERG: Yep. And kind of behind the scenes,
20 that tech team may mute you back just so we can
21 keep the background noise at a minimum so we can
22 hear everyone who's participating, and then we'll
23 make sure we call on you by name. Again, that's --
24 if you're joining by phone, it'll be star-six and
25 then by computer use the microphone icon. Maybe

1 before we start having the unmutes, let's see,
2 Justin, you want to talk about that first category
3 that we have: the site-specific concerns?

4 MR. KOON: Sure. So some of the site-specific concerns
5 that we've heard so far, these are ones that DHEC
6 can consider: so, again, the -- the design
7 requirements; the type of facility; the buffers.

8 So, you know, we've heard a lot about the --
9 the buffer to the -- the drainage ditch and, you
10 know, why isn't it 200 feet? You know, is that a
11 surface water? And we've really been digging into
12 that working with the Town of Hilton Head and other
13 agencies. We'll kind of talk about that, but we've
14 really been digging into: What -- what is that
15 drainage ditch?

16 The floodplain; allowable materials, so dead
17 animals, asbestos, lead-based paints. Talk a
18 minute about the dead animals. You know, as I
19 mentioned previously, we did get a -- an official
20 comment by letter from the adjoining airport, and
21 they expressed concerns about dead animals at the
22 site. And so we have -- or we are looking into
23 updating, adding a permit condition on the permit
24 stating that dead animals would not be allowed at
25 the facility and, you know, if they do happen to

1 concerns, you know, whether the -- the bridges can
2 handle the -- the increased traffic. You know, I
3 think one of the reasons for the -- the transfer
4 station is to reduce traffic across that -- the
5 bridge. You know, we're taking small vehicles that
6 are transporting waste, taking them to a central
7 location, loading them onto a larger vehicle, and
8 taking that to a proper disposal facility.

9 Zoning. The source of the construction and
10 demolition material, so you know, whether or not
11 this material is going to be coming from other
12 locations. You know, we've heard, "Will it be
13 barged over from Daufuskie?" Or, you know, "Can it
14 come from other places within Beaufort County?"
15 "Can it come from places outside of Beaufort
16 County?" And in 1994, there was a court case, and
17 essentially it deemed waste a commodity, and it's
18 part of the Interstate Commerce Act, which
19 essentially says that we can't control the flow of
20 waste, we can't dictate where it comes from.

21 Other things that we've heard about is, you
22 know, the noise that this facility may create, the
23 impact on property values, its proximity to the
24 airport. And, again, we've had the conversation
25 with the airport, and based on the type of material

1 being brought to this facility, they didn't raise
2 any issues with the -- the type of material coming
3 to the site.

4 On the island versus off the island: So this
5 relates to the location of the facility. You know,
6 "Why is it being located here?" And an
7 environmental impact study, we've been requested to
8 -- to have one of those. And, you know, typically
9 those are -- when federal permits are required, an
10 environmental impact study may be part of that
11 process, but no federal permits are required for
12 this project. So we would not be able to do an
13 environmental impact study.

14 MS. ELLENBERG: Thanks for --

15 MR. KOON: All right.

16 MS. ELLENBERG: Thanks for sharing that, Justin.

17 MR. KOON: Sure.

18 MS. ELLENBERG: What I hope you can see is that we
19 really have appreciated all the comments and
20 concerns that have been shared. This is just the
21 first of four categories that we're looking at. We
22 have unlocked the lines. That means you now can
23 unmute yourself and that means that we can start
24 kind of trying to see are there some additional
25 site-specific concerns that you want to make sure

1 you're bringing to our attention and sharing
2 tonight.

3 So I see we've had one or two people who've
4 already unmuted themselves, and I believe our tech
5 team may have muted you back. But we're going to
6 start with someone joining us by phone; they are
7 joining us with the last four digits 2117, and then
8 we'll go to Mr. Carl Hacking (as spoken).

9 So if the phone caller -- phone caller in the
10 number ending in 2117, if you could unmute if you
11 have some additional site-specific concerns or
12 questions related to this you'd like to share.
13 That's -- that's star-six to unmute if you're
14 dialing in by phone. So if your phone number is
15 ending in 2117, hit star-six again.

16 All right. I see some additional people who
17 are unmuting. Let's see if we can go to Carl
18 Hacking -- or Hackling. I'm sorry.

19 MR. HACKLING: Okay. Thank you.

20 MS. ELLENBERG: Mr. Hackling?

21 MR. HACKLING: Yes. Thank you. I have a question about
22 the drainage ditch.

23 MR. KOON: Sure.

24 MR. HACKLING: Is there anywhere in the South Carolina
25 regulations or statutes that actually defines what

1 a drainage ditch is versus a stream?

2 MR. KOON: I'm not sure. I would definitely have to
3 look into that. You know, typically, I would think
4 of a drainage ditch as a -- a manmade feature, but
5 it's definitely something that we can look into.

6 MR. HACKLING: And is -- who made the determination that
7 it is a drainage ditch?

8 MS. ELLENBERG: I think --

9 MR. HACKLING: Is that from the --

10 MR. KOON: Yeah. So I guess this better suits the next
11 slide, but the documentation was provided to the
12 Army Corps of Engineers on one of the -- as part of
13 their wetlands determination at the site as part of
14 that approved jurisdictional determination. But I
15 -- I'm not sure whether or not that was
16 specifically covered under that determination for
17 the 4 acres.

18 MS. ELLENBERG: Yeah. Justin, I think you -- you were
19 aiding our staff to try to sort through a lot of
20 different concerns, and there's some overlap
21 between kind of the -- the big categories that we
22 have. So we did have a little bit of information
23 under that water quality concern. So we'll make
24 sure we try to address that, Mr. Hackling.

25 MR. HACKLING: Yeah. I guess I'm just concerned that

1 we're making the determination it's a drainage
2 ditch off the site survey that's been procured by
3 ArborNation (as spoken), and I'm wondering if DHEC
4 will make that determination independently. And
5 I'm also curious: Has anyone from DHEC actually
6 stepped foot on the site?

7 MR. KOON: Sure. So I'm pretty sure our regional
8 inspector Reahnita Tuten has visited the site, yes.
9 As far as the drainage ditch, again, we are
10 continuing to gather information on that. We've
11 requested information from the Town of Hilton Head,
12 which they provided that I think early this
13 morning, and they provided plans showing that that
14 was at least a feature that has been improved upon
15 as part of a drainage remediation project for the
16 -- the airport. So again, we're continuing to --
17 to get information on that drainage ditch and will
18 make a determination based on all the information
19 that we have available to us.

20 MS. MOYE: Thank you, Justin, for that -- for that
21 response. And thank you, Mr. Hackling, for your
22 question.

23 Just a reminder: We do have several other
24 people who have indicated that they have a question
25 concerning site-specific concerns, and we want to

1 try and get to as many people as we can. So we are
2 going to go ahead and move on at this time. And I
3 believe we have Ms. Rita Etheridge who would like
4 to ask a question and also Lynn Wiggins. So,
5 Ms. Etheridge, would you like to begin with your
6 question?

7 MS. ETHERIDGE: Yes. Thank you. The archeological
8 report that was done, the archeologist found a
9 wetland in the southwest corner of the property.
10 Can you address that? She said it was a low-lying
11 wetland.

12 MR. KOON: Yes, ma'am. So that -- that was in the
13 report that I provided to you and, you know, it's
14 information that has to be provided to the Corps,
15 and then the Corps makes a determination based on
16 all the information that they have. And,
17 ultimately, the Corps deemed that there were no
18 wetlands on the 4-acre parcel that we're reviewing.

19 MS. ETHERIDGE: But then, when I do the -- the GIS
20 survey, I did it with the Town of Beaufort, and the
21 gentleman is telling me there are definitely
22 wetlands encroaching on that property.

23 MR. KOON: I mean, I think that's the Corps'
24 determination to make, and the documentation that
25 -- that we have indicates that there is no wetlands

1 located on the -- the 4-acre parcel.

2 MS. ETHERIDGE: Well, thank you very much. And thank
3 you for all your -- all your help, Justin. You've
4 been very kind to answer my questions.

5 MR. KOON: Thank you. Yep. I've -- hopefully you've
6 found me very responsive to all your -- your
7 questions and --

8 MS. ETHERIDGE: I have.

9 MR. KOON: -- requests for information.

10 MS. ETHERIDGE: You have been. Thank you.

11 MS. MOYE: Thank you, Ms. Etheridge.

12 MS. ETHERIDGE: You're welcome.

13 MS. MOYE: So I see that next on the list -- and, again,
14 we do have several people who are indicating that
15 they would like to make a comment. Right now we
16 will go to Lynn Wiggins and then, after that, we
17 will go to William Ravenel. Lynn Wiggins is with
18 us. Please remember to star-six to unmute your
19 line if you're calling or click on the microphone
20 on your screen to unmute your line. Lynn?

21 MS. ELLENBERG: I don't -- I don't see Lynn Wiggins
22 unmuting, Donna.

23 MS. MOYE: Okay. Then we'll go ahead and go to
24 Mr. Ravenel. I believe I saw him unmute again.

25 MR. RAVENEL: Yes. Can you hear me?

1 MS. MOYE: We can. Please go ahead.

2 MR. RAVENEL: Okay. I'm curious about the impermeable
3 pad that is required to be built. Will that cover
4 the whole 4 acres or just the very small portion
5 within the 100-foot barrier or delimitation? And
6 -- and what is going to keep water from running off
7 that in times of flood? heavy rains? hurricanes?
8 It seems to me that the creek will certainly take
9 some of it; the ditch will -- whether it's a ditch
10 or a creek -- is going to turn into a river. What
11 can be done to protect the -- the wetlands further
12 down?

13 MS. MOYE: Thank you for your question, Mr. Ravenel, and
14 just as a reminder: We will be muting your line
15 back so that we avoid any feedback. So, Justin,
16 would you like to address Mr. Ravenel's question.

17 MR. KOON: Sure. So the operational area itself is the
18 only place that requires the concrete pad. As to
19 your other question, I think Jill Stewart would
20 probably be best to answer that.

21 UNKNOWN: Am I allowed to fly to Colorado? I think it's
22 safe. He'd fly here if it wasn't --

23 MS. ELLENBERG: Jill? Jill, you look like you're
24 unmuted. Did you want to add to that question
25 about sounded like stormwater runoff?

1 MS. STEWART: I do. Sorry. I had myself double-muted
2 on my computer. So sorry about that. I will, and
3 then Shannon Hicks is on the line, too, and she's
4 been the one that's been doing the -- the review
5 and -- and looking more detailed at the project,
6 too, if she wants to add anything. But I don't
7 know if -- if Justin can go back to the site layout
8 slide, and I'm going to let him -- I'll speak, and
9 I'm going to let him show.

10 So there is a stormwater basin -- infiltration
11 basin that completely -- there he goes -- surrounds
12 the site. So that will capture stormwater runoff
13 from the impervious pad and access roads and pretty
14 much the whole area of this site. And it will sit
15 -- function to -- to slow the water down before it
16 discharges into those receiving streams. I don't
17 know if Shannon has anything else she wants to add
18 to that, but, in general, there are stormwater
19 controls that -- that should help manage any flow
20 concerns or overwhelming of -- of features
21 downstream from the site.

22 MS. HICKS: I don't -- and this is Shannon Hicks. I
23 don't have too much to add. I know that there's
24 design standards at the -- at the local level that
25 even exceed the state design level standards. So,

1 yes, as Jill stated, that infiltration basin is
2 designed to handle the stormwater runoff from the
3 site.

4 MS. MOYE: Thanks, Shannon. I do know we have a number
5 of people who have wanted to be called on. Let's
6 -- let's hold on for just a minute before other
7 people unmute. Let's try to catch up a little bit.
8 And, Justin, just -- we did have that kind of
9 second category -- was -- was water quality
10 concerns. Maybe we can touch on that, and then
11 we'll go back and try to get some of the other
12 people who have already indicated they wanted to
13 share and wanted to speak as well. Since we seem
14 to have a lot of these water quality concerns
15 coming up --

16 MR. KOON: Sure.

17 MS. MOYE: -- related to the site.

18 MR. KOON: Yeah. So like we've been mentioning, the
19 water quality concerns -- the ones that we've
20 heard: you know, the location of the transfer
21 station being located in a floodplain; the
22 proximity of the facility to Fish Haul Creek;
23 again, the buffer for the ditch on the adjacent
24 property; stormwater runoff; and then contact
25 water. And then we've also noted here the role of

1 the US Army Corps of Engineers, and they make
2 determinations on whether features are waters of
3 the US, and then they also are responsible for
4 doing wetlands delineations or wetlands
5 determinations.

6 MS. ELLENBERG: So, yeah, I think this is kind of going
7 along with some of the questions and concerns we've
8 already heard. Let's go back -- so between site-
9 specific concerns and water quality concerns, I
10 know we were trying to reach Lynn (technical
11 interruption) -- again, if you could hold off on
12 unmuting for a moment. Let's get some of the
13 people that we've called on, and then we do have --
14 I see Mr. Fisher who just unmuted. We have you as
15 well.

16 So let's start with Lynn Wiggins first,
17 though. I believe Ms. Wiggins was trying to speak
18 earlier. And then we're going to go to Karen
19 Simpson, and -- is it Linda Besserer?

20 MS. WIGGINS: This is Lynn -- this is Lynn Wiggins. Can
21 you hear me now?

22 MS. ELLENBERG: Yes. We've got you, Lynn. Thank you so
23 much.

24 MS. WIGGINS: Yay. Okay. I think I had done something
25 here. First of all, thank you so much for all

1 you're doing to bring this to the public's
2 attention and hear our concerns. Going back -- and
3 I know that Justin's been very responsive to me and
4 my e-mails to him, but I just want to return to the
5 area, not so much on the property, which I
6 recognize has been examined and a judicial
7 determination made by the Army Corps of Engineers,
8 but on the surrounding area, which includes the
9 ditch and the wetlands and the buffering -- the
10 200-foot buffering that is entailed there. And
11 that's very (technical interruption) not getting
12 the sense that that -- particularly that ditch but
13 also the wetlands and the actual border of the
14 wetlands have been looked at in great detail to
15 determine -- because that is truly where a problem
16 will arise if it arises.

17 And there are some like federal definitions of
18 what is a ditch, you know, and it must be
19 constructed or extravagated -- extravastated -- I'm
20 sorry -- excavated channel of water, and if you
21 look at the site maps on this, there are like four
22 large pines sitting in the middle of this ditch.
23 So I find that really hard to believe that it truly
24 is a ditch. And I just -- what are you going to
25 use -- what criteria will you use to determine if

1 that is a ditch? Because, if it isn't a ditch,
2 then it pretty makes -- pretty much makes the
3 transfer station site very, very small and probably
4 unusable.

5 MR. KOON: Sure. We definitely hear you. So I -- I --
6 I definitely know our Bureau of Water will be
7 heavily involved in assisting us in making a
8 determination on whether it's a ditch or a creek,
9 you know, exactly what that feature is. You know,
10 we can also rely upon the US Army Corps of
11 Engineers to make a determination on whether it's a
12 waters of the US, and that would assist us in
13 making a determination. So we are, you know,
14 again, continuing to look into that feature to make
15 a determination as to exactly what it is, and if
16 it's determined not to be a drainage ditch, then he
17 will be required to provide the 200-foot buffer to
18 that feature, which, yes, as you noted, it -- it
19 could make the site much smaller as to where he can
20 locate that operational area.

21 MS. ELLENBERG: And, again, this is where being able to
22 have these conversations and share concerns is
23 really important to us as we continue our research
24 and our work in this area. So I think we have
25 Karen Simpson and then Linda Besserer. I hope I'm

1 not messing up a name too badly there.

2 Karen, did you want to share a concern or
3 clarify a concern? Karen Simpson. Again, if
4 you're joining by computer, you use your microphone
5 icon to unmute, or by phone hit star-six. Our tech
6 team says you're trying to unmute. We're going to
7 -- we're going to come back to you, Karen. I want
8 to make sure we're hearing from as many people as
9 we can tonight. How about -- and, Karen, if you're
10 having trouble getting sound to come through, you
11 may want to use that call-in number, and we can try
12 to get you by phone with the star-six.

13 How about Linda Besserer?

14 MS. BESSERER: Hi. Thank you for giving me a minute to
15 voice some of my concerns. I've reviewed the US
16 EPA manual just for decision making for a west --
17 waste transfer station. And in their -- in their
18 site selection section, they mention many of the
19 things that DHEC says they cannot consider, but the
20 EPA says those are very significant things that
21 should be considered. So how do you make the
22 decision, as an agency who's stated mission
23 statement is to improve our quality of life for all
24 South Carolinians and to protect and promote the
25 health of us and our environment? How do you, as

1 an agency, make that decision to exclude those
2 things? And by "those things," I mean traffic and
3 noise and air emissions and -- and it looks like
4 the storm -- or the water runoff and the effects of
5 barging things in and dropping contaminants in the
6 water during transfer. It looks like those things
7 are not being seriously considered.

8 MR. KOON: Sure. So part of that EPA document, you
9 know, it's mainly geared towards/focused on
10 municipal solid waste, as that's what they regulate
11 through their program. This being a -- a C&D
12 transfer station, you know, a lot of those concerns
13 are not as great.

14 MS. ELLENBERG: So that's a different type of facility
15 or classification, Justin?

16 MR. KOON: Yes. MSW is municipal solid waste, so
17 household garbage. You know, it has a lot more
18 concerns with it than C&D material.

19 MS. ELLENBERG: And I know we -- we use a lot of
20 acronyms at DHEC. So C&D would be construction and
21 demolition.

22 MR. KOON: Construction and demolition debris material.

23 MS. ELLENBERG: Okay. Right.

24 MR. KOON: Yeah. Thank you, Kristy. And, you know, the
25 -- our regulations are --

1 MS. BESSERER: They are specifically addressing --

2 MR. KOON: Our -- our regulations is what we use in
3 making the determinations for transfer stations.

4 MS. ELLENBERG: So that would be state regulations?

5 MR. KOON: Yep. The state regs.

6 MS. ELLENBERG: Okay. All right. Thank you so much. I
7 want to make sure we keep moving forward. It looks
8 like Linda might be trying to jump back in, but we
9 do need to move along. I see -- (audio
10 interference) -- I'm going to wait for us to get --
11 there we go. Thank you.

12 We've got someone with the phone number ending
13 in 8384. We're going to use star-six to unmute
14 your line, and then James Fisher. I know you were
15 going to speak to us earlier. Let's make sure we
16 get back to Mr. Fisher after the phone number
17 ending in 8384. If you could use star-six. And it
18 sounds like 8384 may have had some feedback, so I'm
19 going to mute my line to see if that can help.

20 I see the line unmuted ending in 8384. Let's
21 see if we can keep moving to -- to James Fisher,
22 and we'll come back to that line and try to help
23 you be able to -- to share in just a moment. James
24 Fisher, are you ready?

25 MR. FISHER: Can you hear me?

1 MR. KOON: Yes.

2 MS. YON: Mr. Fisher, are -- do you have two devices on
3 currently? We're getting some feedback when you
4 unmute.

5 MR. FISHER: Can you hear me now?

6 MS. YON: Yes, sir.

7 MR. KOON: Yes.

8 MR. FISHER: My question -- (audio interference)--

9 MR. KOON: So if you're on the phone and the computer,
10 you need to mute one of the lines.

11 MS. YON: Or if you have two devices maybe in the same
12 room that are both logged into the meeting, what
13 we're getting through your microphone is the -- the
14 volume of the meeting from the other device. So
15 maybe try -- try one of those, and see if we can --

16 MR. FISHER: Can you hear me now?

17 MS. YON: Yes, sir.

18 MR. KOON: Yes.

19 MS. YON: No echo.

20 MS. ELLENBERG: So much better. Thanks, Katherine.

21 Okay, Mr. Fisher. Oh, Mr. Fisher. We're so close
22 to being able to hear you. I want to make sure we
23 capture your comment.

24 MS. YON: Looks like he's unmuted again, and now he's
25 gone.

1 MS. ELLENBERG: Okay. Maybe he will be joining us by
2 phone and we can use star-six to get to Mr. Fisher.
3 Let's -- we do have a number of people who've
4 joined by phone. Let's make sure we're -- we're
5 trying to reach those. We have a phone number
6 ending in 5256 and then 3679 will be next.

7 Again, when joining by phone if you'd use
8 star-six to unmute.

9 MR. SIMPSON: Hello.

10 MS. ELLENBERG: Hey. We can hear you.

11 MR. SIMPSON: Okay. This is Brad Simpson calling, no
12 relation to Karen. I wanted to ask if we had any
13 understanding of what the implications were when
14 Hurricane Matthew came through four years ago and
15 -- in that area and what kind of issues there might
16 have been with flooding of that ditch and the
17 drainage into Fish Haul Creek. My -- my assumption
18 is it was pretty severe.

19 MS. MOYE: So are you asking, Mr. Simpson, about if we
20 experience that type of a hurricane again what the
21 effects might would be for this site?

22 MS. ELLENBERG: Justin, do you want to touch on that? I
23 know --

24 MR. SIMPSON: Yes. That's correct.

25 MR. KOON: Sure. So, you know, having listened to the

1 concerns from before, you know, that's one thing
2 that we're planning to go back to the applicant to
3 request. You know, what -- what would his plan be
4 pending a hurricane or pending a -- an evacuation
5 order of Hilton Head Island? So we're hoping that
6 the -- that risk will be minimized through that
7 updated plan. But I'm not sure what the water
8 levels were on the island in this area as a result
9 of Hurricane Matthew. But that is information that
10 we're planning to request from the applicant.

11 MS. ELLENBERG: And I know we had seen some additional
12 concerns in the previous meeting about contingency
13 plans when there is a -- a tropical system coming
14 through.

15 MR. KOON: Yes.

16 MS. ELLENBERG: Right. Donna, who do we have next? I
17 believe we had a -- a phone ending in 3679?

18 MS. MOYE: That's correct. The caller with the call --
19 with the last four digits 3679, we will go to you.

20 MR. MEEHAN: Hey. This is Paul Meehan. Can you hear
21 me?

22 MS. ELLENBERG: Yes, sir.

23 MR. MEEHAN: I end -- I end in 3679.

24 MS. MOYE: Oh, okay. Thank you, Mr. Meehan. Please go
25 ahead.

1 MR. MEEHAN: All right. One of the topics we talked
2 about in the last meeting was the current
3 regulations by which you're evaluating this permit,
4 and they were noted that they're 28 years old,
5 don't know who wrote them, how they were generated,
6 when they've been reviewed. We haven't heard any
7 answers on that. Have you had a chance to look at
8 that?

9 Before you answer that question, also last
10 week -- or two weeks ago I stated that: Have those
11 regulations that we're basing our safety on -- have
12 they been lab tested? experience tested? What
13 worked? What didn't work? We have -- I couldn't
14 tell by your map what kind of margin of error.
15 There was no scale on it. You know, what margin of
16 error do we have? It's very -- very small.

17 You know, and if our regulations are that old,
18 not reviewed, not tested, no lessons learned from
19 prior experiences, how do we know these regulations
20 are, in fact, sufficient enough? And like another
21 caller brought up is that I -- I compare these to
22 EPA guidelines, and more than just one or two PDFs
23 and I beg to differ. Many of these do relate to
24 solid waste as well as construction and demolition.
25 They may not say "Class Two," but they're specific

1 to this type of waste, and they don't seem to be
2 consistent with EPA guidelines.

3 So therefore I hear things like in the basin
4 thing they're considering that it "should" be good
5 enough. What happens if it's not good enough? We
6 need things like not "should be," that the airport
7 shouldn't have problems with this, it should be --
8 an answer should be "We have no doubt that these
9 are going to be sufficient. They've been tested,
10 know that -- they know that they're sufficient."

11 And finally, if we don't -- if those
12 regulations aren't in -- you know, equivalent to or
13 better than EPA, then should we have a disaster on
14 our hands and we have to return that site back to
15 its original state after a disaster, much like Able
16 in Okatie, who's going to pay for that
17 reconstruction of the site? Because we know it's
18 into the millions of dollars for Able.

19 So I don't have confidence yet in -- that
20 you've been able to tell me so far last meeting or
21 this meeting, that you have any confidence in your
22 regulations that we're basing our environment and
23 safety on. Thank you.

24 MS. MOYE: Thank you, Mr. Meehan, for those questions.

25 There was a lot packed in there. So I would -- I

1 did hear very clearly your concern with the
2 regulations and when they were developed and how
3 are we sure that -- that they are going to be
4 protective enough of the environment. So if Juli
5 -- Juli, would you like to address that?

6 MS. BLALOCK: Sure. Because there are several issues
7 that Mr. Meehan has brought up that I'll try to
8 address all of them. I do want to clarify, I
9 guess, the question you have about lab tested or
10 experience tested, and we can kind of talk about
11 that.

12 Yes. Our regulations are that old. As far as
13 experience with transfer stations, I've been here
14 at the agency 25 of those 28 years since those
15 regulations have been used. We have permitted
16 numerous municipal solid waste and what we call
17 "Class Two waste," construction and demolition
18 landfills over the years with minimal problems. I
19 mean, obviously, you know, there are big
20 differences between a transfer station that has
21 municipal solid waste and C&D, and I know everybody
22 had a lot of questions about like a permeable
23 surface and what about the runoff.

24 And EPA even addresses this in some of their
25 documents, and I just want to say as an aside, I

1 know Ms. Besserer and you have both referenced EPA
2 decision-making documents. Please send those to
3 us. I mean, we would really like to see and to see
4 what some of that guidance is. As we stated
5 probably on the September 10th meeting, we as the
6 state of South Carolina regulate Subtitle D, or
7 municipal solid waste landfills, per the
8 requirements of EPA. We're a delegated state;
9 we've been an approved state. So our regulations
10 from EPA are limited to MSW landfills or household
11 landfills.

12 All of the other solid waste regulations that
13 the state has promulgated has been our choice. You
14 know, there are some states that have very minimal
15 regulations for transfer stations, but we feel like
16 those regulations that we have, have worked over
17 the years. I do want to make the point that
18 municipal solid waste, that any rainfall or liquid
19 that comes in contact with municipal solid waste is
20 considered leachate and has to be managed as such
21 in a transfer station. Water that comes in contact
22 with construction and demolition debris is
23 considered a contact water that can go into
24 stormwater because of the difference in, I guess,
25 the constituents, obviously, that are in household

1 garbage versus construction and demolition debris.
2 But, again, please send us the EPA information.
3 We'd like to look over that, see if there's
4 anything going forward that -- when we do go to
5 promulgate or update our --

6 UNKNOWN: Sure. This is my --

7 MS. BLALOCK: Excuse me?

8 MS. YON: It was just a -- a rogue unmuted line, Juli.

9 MS. BLALOCK: Okay.

10 MS. ELLENBERG: We'll come back to that, yeah.

11 MS. BLALOCK: Okay. But, no, we would like to see the
12 EPA guidelines because the way regulations are
13 promulgated here at DHEC is -- there's two -- well,
14 there's two ways we can change regulations or
15 statute. So if we want to change our Solid Waste
16 Management Act and add something in about a
17 particular solid waste facility, that can be done
18 by a bill being introduced over at the Statehouse.
19 As far as DHEC changing -- making changes to
20 regulations, that is a process that -- that we go
21 through where, when we know that things need to be
22 updated or there have been concerns, we make
23 suggested changes. We bring in stakeholders from
24 all entities: you know, communities, industry, I
25 mean, every aspect that could be part -- have some

1 concern, environmental groups. And we hear what
2 they say. You know, obviously, we'll -- we'll put
3 together what we think would be the best regulation
4 package to take forward, and then, you know, we
5 take it over to the Statehouse and hope -- keep our
6 fingers crossed and hope that we get it passed.

7 So, you know, maybe something in this EPA
8 guidelines would help us going forward when we do
9 begin, I guess, updating or amending the transfer
10 station regulations. Because y'all have brought
11 about so much information in this process. As
12 we've said, we've never had this much interest in a
13 transfer station, like I said, in my 25 years here.
14 So you're bringing up some valid points that we
15 really would want to consider in the stakeholder
16 process moving forward if we change the
17 regulations.

18 MS. MOYE: Thanks, Juli. Justin, I want to make sure --
19 we're having some great questions and great
20 concerns being shared. I do want to make sure we
21 share those additional concerns we heard two weeks
22 ago to kind of help frame the discussion a little
23 bit further. And I do see we have about ten people
24 who have already said they want to speak. So maybe
25 what we could do is real quickly kind of cover

1 those other two broad categories a little bit, and
2 then we'll go back to trying to catch back up and
3 some of those who have been trying to speak before
4 and make sure we get to those other ten that we
5 have that have already said they want to be part of
6 the conversation.

7 MR. KOON: Sure. So concerns with the operations, the
8 compliance, and inspections. Some of the topics
9 that we've heard there: You know, the tonnage
10 allowed, you know, how is that determined? And
11 really, it's kind of a factor of how much waste the
12 applicant feels he can manage at the site and how
13 much financial assurance is provided for the site.

14 The hours of operation, you know, we did take
15 a look back at all the documentation that we have.
16 The -- the zoning letter says that they can operate
17 from 8 a.m. to 6 p.m., which is a ten-hour day.
18 And it appears in our application that he indicated
19 from 8 a.m. to 4 p.m. and said a ten-hour day. So,
20 you know, that's some clarifying information that
21 we need from the applicant, whether or not he plans
22 to operate from 8 to 4 or 8 to 6.

23 The allowable materials, again, we -- we
24 talked about that previously.

25 Financial assurance: This is money that --

1 that the applicant has to provide to DHEC in the
2 case that he's not able to properly close the site;
3 there would be money set aside for the -- the
4 agency to go in and -- and get that material
5 cleaned up. We also heard about, you know, what
6 types of operator training are required, the types
7 of monitoring that are required -- you know, is
8 there any groundwater monitoring or air monitoring
9 -- the frequency of inspections, the history of the
10 applicant, and then the source of construction and
11 demolition material.

12 All right. And then I think this is the final
13 pod, but the permitting and decision-making
14 process. So, again, we -- we do have two separate
15 applications before us. Tonight we're discussing
16 the -- the transfer station. We also have a -- a
17 composting application and then, you know, some
18 other permits that are required; a Coastal
19 Stormwater Section would issue a construction
20 stormwater permit. We -- as part of that process,
21 we also have the Ocean And Coastal Resource
22 Management, OCRM, and they issue a coastal zone
23 consistency determination. So all -- all of these
24 really go into, you know, the permitting of the
25 facility.

1 MS. ELLENBERG: And, Justin, I think this just reflects
2 a lot of the information that we've had, again, in
3 the meeting two weeks ago, the Q&A two weeks ago,
4 and -- and a lot of the follow-up conversations
5 that you've had.

6 MR. KOON: Yes.

7 MS. ELLENBERG: So with that, I want to make sure we're
8 still capturing those additional concerns, and then
9 we'll try to move to -- to general questions as
10 well. It looks like the phone ending in 8384 has
11 come back to us and maybe looks ready to talk. It
12 looks unmuted. Oh, and now it looks muted. Let's
13 hope that -- if you can use star-six again with the
14 phone number ending in 8384, let's see if we can --
15 can get that number to --

16 MR. PARK: Can you hear me?

17 MS. ELLENBERG: Yes. And if you can share your name
18 with us, that would be great.

19 MR. PARK: My name is Dave Park, and I had two questions
20 because one was kind of like caveat about the
21 airport's -- airport property versus the regular
22 property and whether or not the building -- instead
23 of having the pad, there should be a building. So
24 I'm assuming this is not actually on airport
25 property, so does it fall underneath the airport

1 rules so it needs to have an enclosed building?

2 That's Question Number 1.

3 MR. KOON: Sure. So this isn't located on the airport
4 property; it's on property that was owned by the
5 Town of Hilton Head on Summit Drive.

6 MR. PARK: All right. So it's not on -- so you -- you
7 basically answered my question. It's not airport
8 property, so this building needs to be enclosed
9 then, I assume, according to your rules.

10 MR. KOON: So, again, you know, the type of waste that
11 this is -- construction and demolition debris -- we
12 don't view it as needing a building.

13 MR. PARK: Okay. The reason I bring it up is because
14 I've been in these things before in San Rafael,
15 California, and there's quite a bit of dust, and
16 basically what they do is they have misters in the
17 ceilings that basically drop all the -- drop all
18 the dust down to cut the dust down, but it's just
19 basically -- it's choking dust just to be in that
20 building. And, you know, you've got 10 mile-an-
21 hour winds, that -- all that -- all that debris is
22 going to be floating, you know, hundreds of feet
23 out, you know, from that location onto other
24 people's property and accumulating, and some of
25 that's going to be lead because it's going to be

1 from paint -- old paint and construction debris.

2 UNKNOWN: And asbestos is part of it.

3 MS. ELLENBERG: So those are concerns over dust and the
4 type of debris that would be at this facility.

5 All right. I appreciate you being able to --
6 to share that with us. I do believe Karen Simpson
7 has also rejoined us. I know she was trying to --
8 to participate earlier. Karen, can you unmute?

9 MR. MITELMAN: Hello?

10 MS. ELLENBERG: Hey, how are you?

11 MR. MITELMAN: Yeah. My name is Michael Mitelman. I
12 live in Port Royal Plantation, and I've been trying
13 to get to this meeting from the very beginning, but
14 I found the wrong code. And until an hour I spent
15 to call to find the proper code, that's why I just
16 connected, and the reason is obvious of I didn't
17 hear previous conversation. My point is very
18 simple: I -- really carefully, I watched -- or I
19 read the ArborNature Transfer Station question, and
20 my question, Number 1: Did you discuss ever that
21 Hilton Head is a resort and the resort -- when
22 people coming almost from California, and these
23 people as soon as they will know that we have trash
24 and garbage met at the airport, they will probably
25 stop coming here. That's Number 1.

1 But Number 2 is I happen to be -- in my past
2 life, I happen to be professional engineer in
3 electric power, and I know for certain that there
4 are certain materials like asbestos are
5 categorically prohibited. I don't know who discuss
6 it or who's not. I used to work for General
7 Electric, and one of the problems we had across the
8 world was usage of material containing asbestos,
9 okay, and -- which causes cancer and lots of people
10 are afraid of even touch it, not of be next to a
11 disposal facilities which using asbestos. Did
12 anyone address it?

13 MS. ELLENBERG: So thank you for joining us,
14 Mr. Mitelman. Justin, I believe this is asking
15 about kind of the types of materials and
16 specifically asbestos. Is that something you can
17 clarify a little bit for us?

18 MR. KOON: Sure. So asbestos -- we kind of talked about
19 that a little bit last time. You know, if
20 somebody's having work done on their house, they
21 have an abatement contractor come in and assess
22 what type of -- or if there's any asbestos with the
23 project that they're doing. That -- that asbestos
24 has to be taken to a -- a permitted disposal
25 facility, so it gets properly abated and bagged and

1 taken to a proper disposal facility. It cannot go
2 to the transfer station.

3 You know, but kind of ancillary asbestos: You
4 know, somebody's doing a -- a home project and --
5 they're not restricted to the same -- or they're
6 not held to the same standard that an abatement
7 contractor would be, and so, you know, some of that
8 ancillary asbestos may end up at the facility, and
9 it is approved Class Two waste.

10 MS. MOYE: So, Justin, just for clarification for -- for
11 the abatement, does it have to be -- the asbestos,
12 does it have to be packaged a certain way if it
13 comes into the transfer station?

14 MR. KOON: No. Not the -- you know, not material that
15 would be generated by somebody doing their own
16 work. That -- I don't think there's any
17 requirement that they have to handle it in a
18 certain way. But if an abatement contractor comes
19 and does the work, you know, it's got to be
20 properly bagged and taken to a disposal facility.

21 UNKNOWN: So it can float around?

22 UNKNOWN: Yeah.

23 MS. ELLENBERG: All right. We see a lot of lines
24 unmuting. Justin, did you want to add any more to
25 the asbestos question?

1 MR. KOON: I don't think so. I -- I know he also asked
2 whether or not we considered, you know, the -- the
3 fact that this is a resort island. And it -- you
4 know, typically, that's handled through local
5 zoning and what kind of land uses they want as part
6 of their island or as part of their approved
7 activities. And, also, you know, right next door
8 to this facility is the town's convenience center,
9 so it's where everybody takes their municipal solid
10 waste and construction and demolition debris
11 currently.

12 MS. ELLENBERG: And I do believe you -- you shared early
13 on that this was something that has gone through
14 the local zoning process as well?

15 MR. KOON: Yes.

16 MS. ELLENBERG: Okay.

17 MR. KOON: We have approval letters from the Town of
18 Hilton Head saying that this is an approved use on
19 this property, which is zoned light industrial.

20 MS. ELLENBERG: Okay. Thanks,

21 MR. KOON: Uh-huh.

22 MS. ELLENBERG: Let's see if we can get back to some of
23 those who've been trying to -- to join our
24 conversation to share some more concerns and
25 questions. We have a phone ending in 5536 and then

1 we're going to go to Mr. Greg Lyons. So if you're
2 calling by phone ending in 5536, if you could use
3 star-six to unmute.

4 I'm not seeing that phone number right now.
5 Let's -- let's see if we can go to Greg Lyons. Is
6 Mr. Lyons still available?

7 MR. LYONS: Yes, I'm here. Can you hear me?

8 MS. ELLENBERG: Yes. Thanks, Greg.

9 MR. LYONS: Awesome. Thank you for taking the time to
10 take my question. Without trying to sound too
11 repetitious here, I am going to refer to the South
12 Carolina Regulation Chapter 61, Section 107,
13 Subsection 7, which talks about solid waste
14 management and the transfer of solid waste. And
15 there's a lot of discrepancies that I've noticed in
16 between the slides that are presented on your
17 presentation tonight and some of the documents that
18 have been available for download on your website on
19 the DHEC website.

20 So I won't go on and on about those, but I
21 will talk about one that I found, and that's two of
22 the storage areas that are located outside of that
23 100-foot operational buffer zone are shown on both
24 the map -- the current updated site map that's on
25 your website and Slide Number 10 of this

1 presentation that was presented to us tonight. And
2 my question is: Why, of the total of seven
3 woodchip and debris storage areas, are these two
4 allowed to operate outside that 100-foot buffer
5 zone, which is my understanding to be the active
6 area. There it is. So the two green ones on the
7 right of that slide are actually outside of that
8 blue line which represents the 100-foot buffer
9 zone.

10 MR. KOON: Sure. So the composting facility has its own
11 buffers. We just showed the -- the location of the
12 -- the proposed composting piles on this slide just
13 to kind of -- to show where those would be located,
14 but there are different buffers that are required
15 for those piles. They're not restricted to that
16 100-foot buffer. But --

17 MS. MOYE: Justin, this -- this might be a good time,
18 too -- it seems like I recall that we did -- we had
19 a -- a wrong regulation posted on the website or we
20 had replaced one or something. That might lead to
21 some of what Mr. Lyons is asking about.

22 MR. KOON: Well, we had the -- the landfill reg
23 specifically referenced, which the composting reg
24 is 61-107.4. And so, again, those -- those green
25 boxes would be reviewed under 61-107.4. C&D

1 material would not be allowed to be placed in those
2 green areas. The -- the -- the C&D material is
3 only to be located -- I'm going to highlight it
4 real quick -- in the purple area here. If it's on
5 the ground, it has to be located in that purple
6 area. They have a couple trailer areas off to the
7 side that may have -- may be loaded with C&D debris
8 that can be taken to a landfill.

9 MS. MOYE: Okay. Thank you for that. I just wanted to
10 acknowledge that, if someone had seen a reg and
11 then went back later to look at it again and -- and
12 it wasn't here, I just wanted us to acknowledge the
13 fact that we had recognized an error and had
14 replaced that since the last meeting, I believe.

15 MR. KOON: Yeah. Well, I think the -- that landfill reg
16 was referenced so that people could see the
17 material that could be taken as part of the -- you
18 know, it -- it lists what all the construction and
19 demolition debris is; it's found in our landfill
20 reg, which is why it was referenced. And we added
21 a reference -- or a link to the transfer station
22 reg a little bit later on.

23 MS. MOYE: Okay.

24 MR. KOON: But yeah.

25 MS. MOYE: Justin, I -- I know that we -- we sometimes

1 recognize where we have caused confusion and -- and
2 certainly do appreciate the opportunity to -- to
3 clarify that for Mr. Lyons. So --

4 MR. KOON: Yep.

5 MS. MOYE: Thank you for that question, Mr. Lyons. I do
6 want us to continue on. We do have many more
7 people who have indicated that they would like to
8 ask a question. So can we get to the -- the phone
9 caller with the last four digits of 2263? The
10 caller with the last four digits of 2263, if you
11 will unmute your line, you can ask a question.

12 MS. ELLENBERG: That's star-six to unmute. And, Donna,
13 we had another phone caller ending in -- well, I
14 mean we've got 2263 is here. I believe they're
15 trying to unmute with star-six.

16 MR. MITELMAN: Hello?

17 MS. MOYE: Hello.

18 MS. ELLENBERG: Hello. Can you share your -- your name
19 and then your question or concern with us, sir?

20 MR. MITELMAN: Well, I -- I gave my name before. It was
21 some problem with connection. My name is Michael
22 Mitelman. I am -- I live at Port Royal Plantation
23 on Oak Creek. And it's -- I don't know -- 200
24 yards or 300 yards from the place where all this
25 trash will be. So I ask question about asbestos.

1 And I ask my first question about resort of Hilton
2 Head, what impression it may have -- we have about
3 million people, if not more, coming to town. And
4 does anyone have a feeling what it causes for
5 anybody who is coming here or wants to buy a
6 property to see all this tracks and our people real
7 estate will have to tell or show, at least, where
8 all this trash and all these facilities are coming.
9 They will be right next to the airport. Does
10 anybody concern about it, or it's just makes no
11 difference and we just standing on strictly formal
12 position because our regulations permit all this
13 trash including asbestos and lead and so on? Is --
14 is that the question? Can anybody answer to me?

15 MR. KOON: I think, for the sake of time, we're going to
16 say that we provided that answer. And, you know,
17 if -- if you happen to drop off, you may have to go
18 back and listen to the recording.

19 MS. ELLENBERG: So, again, Justin, the -- the recording
20 from the previous meeting and this meeting are --
21 well, one's already on our website and this one
22 will be available probably in a few days, and then
23 we'll have other ways that you can continue to
24 provide comment and question as well.

25 I do know we've had a number of phone numbers

1 that have unmuted. We want to try to get to some
2 of those, and then we also want to go to Lance
3 Pyle. So we're going to -- we're going to try to
4 get to the phone number ending in 9102, then Lance
5 Pyle, and then it's Rita Etheridge, I believe.

6 UNKNOWN: Remind us how to get in line, please.

7 MS. ELLENBERG: We're -- we're -- when you unmute, we
8 are actually trying to take note of that in our
9 tech team, and then we're remuting you until we can
10 -- can call on you. So we're just trying to make
11 sure that we have kind of one line at a time
12 unmuting so we that we don't get some of those
13 feedback loops that we've had.

14 So again, we were looking for a phone number
15 ending in 9102 that had previously unmuted. If you
16 can use star-six to unmute again. Okay. How about
17 Lance Pyle? Mr. Pyle, are you able to -- to
18 unmute? I know you were part of our discussion two
19 weeks ago, I believe.

20 MR. PYLE: Yes. Can you hear me?

21 MS. ELLENBERG: Yes.

22 MR. PYLE: First, I'd like to thank you guys for the
23 opportunity to speak this evening. A couple
24 questions -- or a question I have is related to the
25 material being accepted. I understand this is

1 construction debris. I understand the -- the moat
2 that's now being proposed to go around the area and
3 that that'll eventually overflow into the drainage
4 channel shown in the green dotted line. (Technical
5 interruption) work in the debris that gets put in
6 there? I recognize that there are scrap wood
7 materials and other demolition items that go in
8 there, but there's also municipal waste or solid
9 waste that ends up in those containers. When that
10 gets put onto the site, how is that being
11 processed? How are paint cans that are tossed into
12 these dumpsters processed? What level of leaching
13 into the water source and into the runoff areas is
14 -- is being used to protect those areas from --
15 from that type of trash? The other side of that is
16 -- is: How much material is -- is -- is required
17 to be moved based on the amount of material coming
18 in? If they're bringing in 240 tons of material in
19 a day, how often does 240 tons of material have to
20 leave? Is there a percentage of that material
21 that's required to leave, or is it -- is it -- can
22 it sit for any period of time?

23 MR. KOON: All right. Sure. So, you know, based on the
24 financial assurance mechanism that he's proposing,
25 he can leave up to 240 tons at the site. So, you

1 know, if he has 240 tons at the site and he brings
2 in 240 tons the next day, 240 tons has to leave.
3 So he -- he's -- the maximum amount of material
4 that he can have on his site at any one time is 240
5 tons per the permit.

6 Speaking to the -- I guess the ancillary MSW
7 waste that comes to the site, you know, that's part
8 of, I guess, his operator training and being able
9 to identify material that isn't acceptable at the
10 -- the facility. He's supposed to remove that
11 within 24 hours and, you know, as soon as he
12 identifies it, place it in a -- a covered container
13 and take that to an appropriate disposal facility.

14 MS. ELLENBERG: So, yeah, there were questions on the --
15 the type of waste. I think there were also some
16 questions about paint cans, and, you know, Justin,
17 I'm always going to try to grab you when you're
18 saying acronyms, so MSW is municipal solid waste,
19 right?

20 MR. KOON: Yes. Yep.

21 MS. ELLENBERG: Okay. All right. Let's see if we can
22 capture some -- some additional comments and
23 questions. I -- I know we've had some people who
24 are unmuting who we've already heard from. I think
25 we want to make sure that we're hearing from those

1 who -- who haven't participated yet first. So I'm
2 going to see. We have a -- a phone number ending
3 in 3933 and then we'll go to a phone number ending
4 in 1623. So that phone number ending in 3933, if
5 you could use star-six to unmute.

6 MR. FISHER: Hello. Can you hear me?

7 MS. ELLENBERG: Yes. If you could share your name and
8 your question or concern.

9 MR. FISHER: My name is Jim Fisher, and I'd like to
10 follow up on some of the -- the DHEC responses
11 concerning the water runoff from this site into
12 Fish Haul Creek, which runs into our community Port
13 Royal, into our Millers Pond, and out to our
14 beaches. I think there is a wonderful ballerina
15 dance going on that you are saying that this site
16 is not in the wetlands. If you put your map up --
17 and we have seen this map before when the airport
18 construction was going on -- there's a whole lot of
19 gray areas. These areas are wetlands, and we were
20 told that nothing could be built in these wetlands.
21 Yes. There is a little, tiny parcel in the middle,
22 which I might call an "island." And this site is,
23 in fact -- the C&D disposal site is, in fact,
24 surrounded -- and I tell you surrounded by
25 wetlands.

1 Now, what does that mean? This site is not in
2 wetlands because it's surrounded by wetlands? I'd
3 argue it is in the wetlands. And for public
4 record, I think the public would like to see the
5 delineation that the DHEC is using for wetlands,
6 such that the site shown and -- and -- and
7 certainly one of the reasons this permit should be
8 denied. It is in the wetlands, surrounded by
9 wetlands, and I will move on to the rest of it.

10 Regarding the site being in a hundred -- a
11 100-year floodplain. I think you have said that
12 this site is in a 100-year floodplain, yet you say
13 whenever possible you should not put a site there.
14 There's a reason for that. There's a simple answer
15 to that and, for whatever reason is, you deny the
16 application. Since the 4 acres is in the -- is in
17 the floodplain, then there's no place to build it.
18 So basically, this site is not acceptable for --
19 based on your technical guidelines.

20 And, you know, you can argue this in court on
21 multiple arguments of what the definition of
22 "surrounded" is and what your rationale is for
23 putting a -- a C&D site there.

24 This sites run into our community. It's where
25 our grandkids and our residents fish, pull out

1 large fish that come up from the ocean; that's why
2 we're concerned. We're different in the fact that
3 we are -- have visitors here and we fish in that
4 area and we are concerned. And I'd just like you
5 to address about being surrounded in the wetlands
6 versus in the wetlands and also how you can
7 possibly approve it if it's -- you say it can't go
8 into a 100-year flood plan (as spoken).

9 MR. KOON: All right. So, again, you know, the Army
10 Corps of Engineers are the arbiters for determining
11 what is a wetland and where they are located. You
12 know, we have been provided by the Town of Hilton
13 Head the wetlands survey that was done specific to
14 this site. We have it posted on our public notice
15 webpage. It was part of -- you know, as soon as we
16 got that document, we -- we put it up there. So,
17 you know, if you haven't visited the -- our public
18 notice webpage, please do so and get the -- the
19 latest information -- some of the latest documents
20 that are available. But the -- the Army Corps of
21 Engineers has determined that there are no wetlands
22 on this 4-acre parcel.

23 And -- and speaking to the -- the 100-year
24 floodplain: Yes. We -- we spoke about that as
25 part of the -- the previous meeting, but the way we

1 interpret that condition in the regulation, which
2 says, "Whenever possible, a transfer station shall
3 not be located within a 100-year floodplain": You
4 know, if -- if there's a location at the site that
5 the operational area can go without being in a
6 floodplain, then we would require it. But at this
7 site, the entire facility -- or the entire parcel
8 is located in that 100-year floodplain. So there
9 is, at this site, no -- nowhere to move it. And,
10 you know, we review applications on a individual
11 basis and -- and make the determination based on
12 site-specific information.

13 MS. MOYE: Justin, I would like to -- to add a little
14 bit to that. And thank you, Mr. Fisher, for those
15 concerns. We do -- we hear you loud and clear, and
16 -- and we hear that, you know, this is a serious
17 concern for your community, as it should be. And,
18 you know, we -- it was really made clear to us
19 during the last meeting and again tonight that this
20 is something that we need to make sure is clarified
21 thoroughly before we me move forward with -- you
22 know, with anything as far -- as far as a decision
23 on this project. So we are talking with the Corps.
24 We are talking with our Bureau of Water. We -- we
25 are addressing these issues as they have been

1 raised.

2 So, you know, I encourage you to -- to stay
3 engaged with us. We certainly do want to make sure
4 that -- that you have the most up-to-date
5 information, you know, whenever we have it, and if
6 we have anything new to add to that, we will do so.

7 Kristy, I believe we had our next caller ended
8 with the last four digits of 1623.

9 MS. ELLENBERG: Yes, Donna. So if you're calling in
10 from 1623, if you could use star-six to unmute your
11 line and introduce yourself and share your --

12 MR. SIMPSON: I -- I -- I -- I am -- this is Brad
13 Simpson. I already called in and spoke with y'all.
14 So that -- I'm the 1623, so I think it's a repeat.
15 So thank you.

16 MS. ELLENBERG: Okay. Thank you, Mr. Simpson. We have
17 some other callers, as well. There's a number
18 ending in 8174, and then we'll try the number 7377.
19 So if you are the phone number ending in 8174, if
20 you could use star-six to unmute your line.

21 MR. LAWSON: Yes. Good evening. This is John Lawson.
22 I'm a resident of Hilton Head. I live in Palmetto
23 Hall. And thank you for this forum. To the
24 previous caller that talked about Hilton Head
25 Island being a resort island, I'd like to make a

1 comment about that: He's absolutely right. Hilton
2 Head's the largest barrier island on the east coast
3 full of very unique flora and fauna, and a transfer
4 station, which is (technical interruption) does not
5 belong on the island. The other maybe question I
6 have for Justin who talked about traffic and
7 transportation -- and, granted, it's not part of
8 your permitting process, but how many trucks are
9 going to be going up and down Dillon Road? turning
10 into Gateway Circle? turning down Summit Avenue?

11 There's over 100-unit condos right across from
12 Gateway Circle. School busses pick up and drop off
13 children. Bicycle path that all the tourists and
14 the local residents use is all along Dillon Road.
15 Why isn't that being considered?

16 And what you're going to say is:
17 Transportation, traffic, and noise is not part of
18 the permitting process. And if that's the case,
19 then everybody listening to this call should call
20 city hall and complain to our town council and the
21 city fathers because we are not being represented.

22 Justin, please talk about the number of trucks
23 that will go in and out of Gateway Circle. Thank
24 you.

25 MR. KOON: Sure. So, you know, as part of our permit

1 application, the applicant provides us what he
2 believes the -- the maximum throughput his facility
3 will see. And so, you know, in -- in the
4 application, it -- it states that he expects a
5 maximum -- and I stress that word "maximum" -- of
6 ten trucks per hour. And so, you know, if you
7 interpolate that out to a ten-hour day, that would
8 be up to 100 trucks per day. But, again, that --
9 that's -- to -- to show information to us, DHEC, as
10 to what he thinks the maximum amount of material at
11 the site will be. And so I -- I really don't know
12 how many trucks will -- will be on that road.
13 Again, that -- it's a -- it's a calculation more so
14 than maybe an actual representation of what could
15 be traveling down the road.

16 UNKNOWN: It's ridiculous.

17 UNKNOWN: Uh-huh.

18 MS. ELLENBERG: Thanks -- thanks, Justin, for that. I
19 do believe the -- the phone number ending in 7377,
20 looks like they're no longer online, so we're going
21 to go to the next number, which is number ending in
22 5696. The phone number ending in 5696, if you
23 could unmute by hitting star-six. It's a phone
24 number ending in 5696. It looks like you're
25 unmuting there.

1 MS. MOUNT: Okay. Well, my name's Joanne Mount, and I
2 have a home at Hilton Head Plantation -- I'm sorry
3 to use that word. But anyway I just wanted to say
4 that a hundred trucks a day? My God the traffic on
5 that highway out there is unbelievable right now.
6 I can't believe you're even talking about approving
7 this. That's really all I had to say.

8 MS. ELLENBERG: Well, we appreciate you sharing your
9 concerns. Thank you for being here tonight. That
10 was Joanne. What was your -- your last name again?

11 MS. MOYE: I think it was "Mount," Kristy.

12 MS. ELLENBERG: Okay. Okay. Thank you. Thank you,
13 Ms. Mount. I appreciate you being here tonight.

14 Donna, it looks like we have Risa Prince.

15 MS. MOYE: That's correct.

16 MS. PRINCE: Thank you for the opportunity to speak. I
17 spoke last couple -- last time, particularly about
18 the role of DHEC as the state environmental
19 authority. I understand that are you somewhat
20 limited by the specific regulations that you have,
21 but I'm concerned that, as you continue to discuss
22 this application, that there is an inherent bias in
23 -- in this approach. Instead of rejecting a
24 deficient application, you've talked about
25 intending to work with the applicant to shore up

1 that application.

2 And at the closing of the meeting last time,
3 one of your managers -- I believe her first name
4 was Myra, but I don't have a last name -- spoke
5 about how Hilton Head needs a transfer station due
6 to the increasing construction here. I would
7 assert that the island has been under development
8 for seven decades without one and is significantly
9 built out. So the comments that were made sounded
10 more like they were coming from someone from the
11 department of commerce, but as you stated in your
12 opening tonight, you're the state environmental
13 authority, and I don't believe you should be
14 abetting a deficient application.

15 So I guess my question is: (Technical
16 interruption) application review a fair process by
17 which you just say, "Yes, it conforms with
18 everything," or do you go back and -- and work with
19 the applicant to fix their errors instead of coming
20 down on the side of protecting the residents from
21 an operator who not only potentially has
22 operational deficiencies but can't even bother to
23 get their application right?

24 MR. KOON: Sure. So the -- the way that process works,
25 you know, we -- we definitely do not do work for

1 the consultant or for the applicant. Our job --
2 you know, we review the application. If we note
3 deficiencies or concerns, we would write a comment
4 letter to them expressing those concerns, and, you
5 know, they would -- they would address those and
6 send those back to us. You know, there may be some
7 dialogue between us and the -- the consultant or
8 the applicant to make sure that we're all on the
9 same page as to what we're looking for, but, you
10 know, that's kind of the extent of working with.
11 It's more of, you know, we -- we provide a comment
12 letting them know what the deficiencies are and --
13 and then they have a conversation on what -- what
14 we're actually looking for if there's some, you
15 know, misinterpretation or just to make sure we're
16 on the same page.

17 MS. MOYE: Yes. Thank you for that -- for that comment,
18 Ms. Prince. I do recall you being in our first
19 meeting and -- and, you know, we certainly do not
20 intend to leave you with the impression that we are
21 working for the Department of Commerce or the --
22 you know, that -- that is how we are viewing this
23 application because it is not, and, you know, we
24 want to be able to clarify our process as much as
25 we need to for you. So, certainly, if you have

1 other questions after tonight, we encourage you to
2 get in touch with us or we can give you a call to
3 really discuss this more in detail if you would
4 like. I certainly don't want anyone on this call
5 coming away with the impression that -- that that
6 is what DHEC is doing. So thank you for your
7 comments.

8 MS. BLALOCK: Donna?

9 MS. MOYE: Kristy --

10 MS. BLALOCK: Donna, this is Juli. Can I add to that
11 just a little bit?

12 MS. MOYE: Yes. Absolutely.

13 MS. BLALOCK: Ms. Prince, I know you discussed how there
14 isn't a need for a transfer station, but we have
15 also heard, I guess, Beaufort County has a
16 convenience center nearby, not far from this site,
17 that currently takes C&D and that there is some
18 discussion of shutting that facility down because
19 of the amount of C&D coming in there. So, you
20 know, I know that -- that C&D on the island is
21 already going to a facility that may be shutting
22 down. So I just wanted to make sure that you knew
23 that.

24 MS. PRINCE: I -- I would appreciate just being able to
25 rebut that for a moment because Beaufort County

1 just announced this week that that facility is
2 going to remain open.

3 MS. BLALOCK: Okay. Well, then we'll check into that.

4 MS. PRINCE: Thank you.

5 MS. ELLENBERG: All right. Well, Donna, I know we
6 wanted to -- to be able to reach as many people as
7 we could tonight. We still have quite a long list
8 of people who want to speak, so I want to make sure
9 we're -- we're continuing to move forward. We have
10 a phone line ending in 3516, and then we'll go to a
11 phone line ending in 2575. So if you're the phone
12 number ending in 3516 and you can introduce
13 yourself and -- well, press star-six and then
14 introduce yourself and share a -- a concern or
15 comment.

16 MS. BERRY: Good evening. This is Judy Berry. Can you
17 hear me?

18 MS. ELLENBERG: Yes, Ms. Berry. We can hear you.

19 MS. BERRY: Great. I want to thank you for your time on
20 this, and I have had good correspondence with
21 Justin, and I want to thank him for that. I am
22 sharing so much of the frustration that you're
23 hearing from other callers. Again, I'll just
24 briefly -- don't want to repeat everything about
25 the wetlands. I do question how the blue wetland

1 boundary line almost converges with the dotted
2 ditch line at that point on the right of the site.
3 But I know you'll have the Army Corps of Engineers
4 checking into that.

5 Again, I -- going back to what was said
6 previously about the floodplain, the FEMA flood
7 zone on your site plan is listed at a A7, and FEMA
8 identifies that A7 zone as a special flood hazard
9 area. So, again, going back to the things that you
10 can address, whenever possible -- as the gentleman
11 said earlier -- should not be constructed in the
12 floodplain. And so seems to me that this gentleman
13 would've had to prove to you why it was impossible
14 for him not to build this and why he wasn't forced
15 -- I know you don't get into site selections. But
16 you have this contradiction in your -- what you can
17 consider and what you can't consider.

18 And, as everyone has said, we are a barrier
19 island. It's obvious that the residents don't want
20 this, and it'll be obvious the tourists will not
21 enjoy this either.

22 Justin, I did send you the question on the
23 second permit and -- for the composting and asked
24 you what was the timeline for that application
25 process, and I don't think I've gotten an answer

1 back from you on that of when it would be
2 considered and meetings would be held.

3 MR. KOON: Yes, ma'am. So at this time, there's no
4 planned meetings on a composting facility. You
5 know, they have their own public input and, you
6 know, that -- that project was noticed when we
7 received the application, and there's a 30-day
8 comment period on that project from the date of
9 that notice. So we're not anticipated on having
10 any public meetings or public hearings regarding
11 the composting facility.

12 MS. ELLENBERG: And -- and, Justin --

13 UNKNOWN: What?

14 MS. BERRY: If I could follow up on that: So it -- it
15 will be going through a permitting process, but you
16 have no date, and also the transportation and the
17 number of trucks that you're referring to that
18 we're talking about tonight is just for the
19 transfer station. When you then go through the
20 trucks that will be dealing with the composting and
21 the grinding permit, you'll have even more traffic,
22 correct?

23 MR. KOON: Possibly, yes, ma'am.

24 MS. BERRY: Isn't it more like it's definite that there
25 will be? I believe the owner of this ArborNature

1 also has another company that he's the owner of
2 dealing with "tropical trash."

3 MR. KOON: I'm not sure of that. Maybe --

4 UNKNOWN: Yes. He does.

5 MS. BERRY: His website lists it. If the website is out
6 of date, I don't know. But this is just too
7 problematic. We -- and you're -- we're only
8 listening to half the problems and not even the
9 full problems we'll have with the composting and
10 the grinding, which to begin with had to be moved
11 from Indigo Run because it was such a -- a problem
12 for the Indigo Run residents.

13 MS. ELLENBERG: Thank you, Ms. Berry. I know we're
14 having -- we're having some kind of disruptions or
15 -- or some extra background conversation and noise.
16 We really want to make sure that we're able to hear
17 everyone who is sharing. I want to make sure we're
18 capturing what -- what Ms. Berry's sharing with us
19 and her questions. Again, we do want to remind
20 everybody that, you know, that kind of first ground
21 rule of tonight is -- is respect. We're trying to
22 respect each other, respect the time, and even
23 respect kind of working through Skype for Business,
24 even when it's sometimes hard to unmute and things
25 of that sort. So please let us remember to be

1 respectful and not have those additional outbursts,
2 if we can, so that we can make sure we're hearing
3 the -- the person who's speaking.

4 So, Ms. Berry, I do want to go back to -- you
5 also were talking about kind of the public
6 participation process and some other things.
7 Again, this process is going to continue beyond
8 tonight as well. The public comment period on this
9 permit application does not close until November,
10 and we have October 22nd set for a public hearing.
11 I think you were saying: Is there -- are there --
12 will there be additional meetings on the compost
13 permit. And that's not scheduled at this time.

14 Justin, were there some other things you
15 wanted to add?

16 MR. KOON: I don't think so. You know, she did ask
17 about the number of trucks. But, again, you know,
18 the -- the trucks, that's a maximum number that's
19 anticipated, so I can't really speak to how many
20 trucks may actually go to the site.

21 MS. ELLENBERG: That's the -- the cumulative trucks.

22 MR. KOON: Yeah.

23 MS. ELLENBERG: Again, we appreciate everybody sharing
24 these concerns with us. I hope as those first
25 slides that -- that Justin was sharing kind of

1 noted, we've been hearing a lot of concerns in
2 recent weeks and we've been trying to -- to capture
3 those as well and -- and make sure we're continuing
4 to research and have the conversation about those.

5 Thank you, Ms. Berry.

6 Our next couple of people that we have who
7 wanted to speak -- one is a phone number ending in
8 2575 and then we'll go to Laurie -- I believe it's
9 "MEE-ger" or "MAY-ger." So if you are calling from
10 the phone number ending in 2575, if you could use
11 star-six to unmute and share your name and your
12 question or comment.

13 MR. LOGUE: Thank you so much. My name's Ed Logue, and
14 I live in Port Royal Plantation. Just a couple of
15 questions: Number 1, it seems like the Army Corps
16 of Engineers should be on the telephone call with
17 us because -- because there's a lot of questions
18 that got sort of road-blocked or sidetracked to
19 them, and maybe that would be a good thing to do in
20 the future so we can really get that nailed down.
21 The second thing: It's sort of a commonsense
22 thing. Okay. So the -- the -- the operation's
23 currently located near Indigo Run, and from what I
24 understand, Indigo Run has been fighting this
25 unwanted entity for -- for quite a -- quite a --

1 quite a long time. It's smelly, air quality
2 concerns, etc., and they've been successful, God
3 bless them, right, into -- to running them out, so
4 to speak. And for some reason, they've been
5 accepted or given a location over by the airport by
6 Port Royal Plantation. And I don't know for the
7 life of me I quite understand who in their right
8 mind might've approved that kind of move. I mean,
9 it's just sort of crazy to me, but that's -- I'm
10 just thinking logically. Okay. So not legally,
11 not this and that. But they've been -- they've
12 been run out of one area, but they're accepted in
13 another. Is the other area not quite as important
14 than the -- the primary area that they're being run
15 out of? I mean, it's sort of like a crazy
16 situation, right? So I sort of have to chuckle at
17 the whole thing; unfortunately, it's very serious.

18 But do citizens count in this -- in this deal,
19 or do we just go by this book and say, "Oh, gosh.
20 They -- they -- they checked off Box A, B, C, D,
21 and, you guys, too bad; it is what it is"? But,
22 again, I'll just go back to my -- my -- you know,
23 and I apologize for how this sounds, okay? But who
24 in their right mind would approve this move? They
25 wanted to move the operation and expand on it. And

1 they were run out of one area with their operation
2 as it is today, so they're going to move a couple
3 of miles down the street and expand it. Now, who
4 would not have thought there was going to be
5 opposition to that? It's the craziest thing I've
6 ever seen. So anyway, I'll -- I'll -- I'll give my
7 time back to you. And thank you for letting me
8 make my -- my comments and -- and hope you're --
9 hope everybody's doing well.

10 MS. MOYE: Thank you so much for that, Mr. -- was it
11 Logue? I'm not sure if I have that last name --

12 MR. LOGUE: Correct.

13 MS. MOYE: -- correct. Okay. Thank you so much. So,
14 you know, I believe I mentioned in the last meeting
15 that we share many of your frustrations. You know,
16 we don't have all the answers, and -- and some of
17 those decisions are made on -- on the local level
18 before anything ever gets to us. And so we do
19 share some of those same concerns with you and ask
20 some of those same questions, and so we appreciate
21 the fact that you -- you are providing us input on
22 that and -- and understand where DHEC is in that
23 location issue. So thank you so much for -- for
24 sharing that with us, and we have heard that quite
25 a bit and -- and do know that it is a -- a -- a

1 huge question there with your community and
2 locally. So thank you for that.

3 Kristy, I believe that we were going to move
4 on to -- is it Laura Meagher?

5 MS. ELLENBERG: Yes, Donna.

6 MS. MOYE: Ms. Meagher, if you are joining us online,
7 you can click on the microphone on the -- at the
8 bottom of your screen.

9 MS. MEAGHER: Can you hear me?

10 MS. MOYE: Yes. Thank you. Please go ahead.

11 MS. MEAGHER: So yes. Thank you. Thank you for
12 entertaining my question. I guess I'm looking at
13 the statute here -- and I'm just going to turn my
14 phone off, make sure I don't have interference.
15 But I'm looking at the -- the regulations, and they
16 do say they establish minimum standards for
17 facilities. And I -- I'm looking at this map, and
18 there are so many questions. There's the drainage
19 ditch question. Is it a drainage ditch? Isn't it
20 a drainage ditch? It's right on the edge of a
21 wetland.

22 So all of the issues that people have been
23 raising, it seems like there's a rebuttable
24 presumption that, as previous callers have said, if
25 somebody comes forward and can just by inches meet

1 these regulations, then there seems to be the
2 assumption that there's a rebuttable presumption
3 that then it's okay. But that is not what the
4 regulation says. The regulation says that it is
5 establishing the very minimum standards, and this
6 confluence of events around this tiny site in a
7 very precious, environmentally sensitive area, it
8 seems to me like that's something that should be
9 taken into account rather than this kind of box-
10 checking, "Oh, they've got a few feet. They just
11 made it to the edge of the wetland boundary. They
12 just made it to the edge of what we think is a
13 ditch and somebody said it was a ditch." So I -- I
14 -- I -- I'm really shocked at the kind of literal
15 interpretation of, if you meet these box, you know,
16 checking exercises, you know, that that's enough to
17 satisfy DHEC. So it's shocking to me.

18 And I would also point out that out of all of
19 the waste transfer stations, according to Justin,
20 only one in the entire state of South Carolina has
21 ever been permitted in a floodplain. So that's
22 pretty shocking to me. And I think that it kind of
23 goes to the level of interpretation that, "Why
24 aren't they all in floodplains?" You might as well
25 have all of your locations in floodplains, because

1 if you present a property that's in a floodplain,
2 you'll automatically get approved on that project.
3 So I -- I think there's just a lot of
4 interpretation and assumptions going on here that
5 really need to be explored further. Thank you.

6 MS. MOYE: Thank you, Ms. Meagher. Juli, would you like
7 to -- to provide some response to Ms. Meagher's
8 concerns?

9 MS. BLALOCK: Sure. I'm going to try to address as many
10 as I can because, Ms. Meagher, you did -- you --
11 you put a lot of things into one comment. But let
12 me just start by saying: This is -- you talk about
13 our regulations saying that we establish minimum
14 standards. And that -- that is correct. It says
15 that. But I can guarantee you since September
16 10th, every comment that we've received that night,
17 we have had our folks, our staff, our region
18 looking into for two weeks solid now. There are
19 some of the folks here tonight that I see their
20 names that I feel like I ought to be on first-name
21 basis in e-mail with them because we're having
22 dialogue back and forth.

23 I can't stress enough about the location
24 criteria. I -- I wish we could, that we had the
25 authority to choose locations for solid waste

1 management facilities, but again, that is strictly
2 a zoning issue.

3 It is a not a box-checking by any means, and
4 -- and I really hate that you feel that way because
5 we are looking into all these issues. As I said,
6 this is the most public input we've ever had about
7 a transfer station, so you're bringing up very
8 valid points that we're taking into consideration.
9 I know there's still a lot of concern about the
10 drainage ditch and the area and the -- and the
11 wetlands, and we're trying to get to that -- to the
12 bottom of that as quickly as possible. No decision
13 has been made on this site yet.

14 And I -- I think a previous person spoke
15 about, you know, the permit process is you work
16 with these applicants. Our process is really one
17 where, you know, if somebody submits something to
18 us, it's kind of like development plans for any
19 other -- or even like when you're building a house.
20 I mean, things are going to be tweaked. We do go
21 back out to the applicants and say, "You know, here
22 are further clarification we need" or questions and
23 comments. And based on, even our conversations two
24 weeks ago and tonight, I mean, this applicant's
25 going to get a lot of questions. He's already

1 received a lot of questions in the last two week
2 from -- two weeks from us and said, you know,
3 "You're -- you need to address these and, if you
4 can't address those, I mean, obviously, then we
5 aren't going to be able to issue a permit for this
6 site."

7 So I -- I just want you to understand that it
8 -- we know it -- it says that we establish minimum
9 standards, and we are trying to research every
10 concern y'all have had so that we -- we can answer
11 these questions. And if they can't be answered,
12 like I said, then a permit won't be issued. But
13 please know that we're looking into -- to
14 everything and it's not just a foregone conclusion.
15 Thank you.

16 MS. ELLENBERG: Thanks, Juli. We do have several more
17 people who have indicated they want to speak. I
18 think we have some people who have already spoken.
19 We're going to try to make sure we're hearing from
20 those we haven't heard from yet with the time that
21 we have just to be respectful of everyone's time,
22 and again, there are ways to continue the
23 conversation beyond tonight.

24 So we have a phone number ending in 4120. If
25 that number can unmute. And then after that, it

1 would be a phone number ending in 6497. So if
2 you're calling in from 4120, you can use star-six
3 to unmute and give us your name and share your
4 concern and comment.

5 MR. JAMES: Yeah. This is Kevin James; I'm a resident
6 of Hilton Head, live in Port Royal Plantation.
7 Like everyone else, I appreciate you taking time to
8 hear everything. I guess after listening to most
9 of this, a lot of my questions have been answered.
10 You know, I was thinking: Why do they want to do
11 this here? But understandably, it's got to go
12 somewhere.

13 Everything I've heard about wetlands, drainage
14 ditches, the Army Corps of Engineers is very
15 strict, usually more so in favor of people over
16 businesses, in my experience. I have a lot in that
17 area. So, yeah, the Army Corps of Engineers is
18 strong in what they do.

19 Seems like the biggest problem that residents
20 should be focusing on is Town Council of Hilton
21 Head. The folks that are here on this call right
22 now, you know, their hands are kind of tied.
23 They're dealing with what they're dealing with. As
24 far as checking off boxes, if somebody owns a piece
25 of property, they should own it. And if they check

1 off the boxes, they should be able to do what they
2 want with it. So with that, I'll leave it alone
3 and thank you again for your time.

4 MS. ELLENBERG: Thank you, Mr. James. So, Justin, I
5 think what was touched on earlier is -- is we are
6 coordinating and having communication with the Army
7 Corps of Engineers and -- and other entities that
8 are part of this. Is there something you want to
9 add to that?

10 MR. KOON: No. I think he summed it up pretty well.

11 MS. ELLENBERG: Okay. We do have a phone line ending in
12 6497, and then we'll go to Kent Kerkhof. So if
13 you're calling in from the phone number ending in
14 6497, if you could use star-six to unmute and share
15 your name and then your question or concern.

16 MR. SCHLEGEL: Good evening. This is Keith Schlegel.
17 I'm in Hilton Head Plantation. Kristy, I
18 appreciate the time and the insights that you-all
19 are providing tonight. First of all, I'd like to
20 echo the earlier quarters -- callers regarding the
21 100-year floodplain. The website's pretty clear
22 that these are not sites that you want to put a
23 solid waste facility in. Justin Koon earlier
24 stated that he interprets the -- the DHEC as
25 guidance and he's willing to allow this site. Is

1 there a way that citizens can challenge this
2 interpretation and -- and go with the guidance on
3 the DHEC site that this should not happen?

4 The second question or point I'd like to raise
5 is whether you can expand on the infiltration
6 basin. Who set the standards for this? Are there
7 published standards? Are these available on the
8 DHEC website? And have you engaged with the
9 stormwater runoff departments of Beaufort County
10 and Hilton Head? We reached out to the Hilton Head
11 folks, and they said that they were unaware of this
12 site and the permit.

13 And then just a couple more points. I don't
14 understand why this severely negative history of
15 this business operator that was mentioned earlier
16 is not considered. There are numerous zoning
17 violations, noise, and hour of operation ordinance
18 violations, air quality violations. I've heard
19 from Justin in some of our e-mails back in forth
20 that many times applicants will step up and try to
21 be a good neighbor. This individual and this
22 business have done everything they could in
23 violation of -- of every town ordinance and
24 agreement. As someone stated earlier, the people
25 of Indigo Run effectively got him run out of there.

1 And now here we are saying, "Well, we should
2 trust that this applicant will be able to identify
3 non-permitted waste. He will meet all permit
4 requirements" when in his past business history, he
5 has done none of those things.

6 And then just my last point -- sorry for the
7 length, but the applicant's proposed \$35,000 bond
8 is absurd. The engineer who put this together
9 pretty much presumes in his assumptions that the
10 business will be operating completely in accordance
11 with all permit requirements, there will be no
12 excess waste, there will be no issues with
13 machinery and equipment, and that personnel are
14 well-trained and willing to work for \$13 an hour.
15 Just compare that, please, to the Able Contracting
16 taxpayer cost of \$4 1/2 million. So in the event
17 that you do issue a permit, which I surely hope you
18 do not, that bond needs to be changed by orders of
19 magnitude into the hundreds of thousands of dollars
20 at least. I was in the finance business, and I
21 financed some of these solid waste transfer and
22 landfill operations in the past, and the cleanups
23 of these things are very expensive. Thank you.

24 MS. ELLENBERG: Thank you, Mr. Schlegel. I heard a
25 number of different kind of questions and concerns

1 there I want to make sure we're able to -- to
2 address those as best we can. One I know is
3 probably more for our Coastal Stormwater Program
4 about the infiltration basin. There were also
5 questions about financial assurance, the floodplain
6 location, again as we've -- we've touched on
7 earlier in the meeting, and the -- the history of
8 the owner of this facility. I'm going to ask our
9 team kind of where should we start? I think we've
10 got a few different members of our -- our DHEC
11 staff who might be able to address some of those
12 questions.

13 MR. KOON: I would say let's start with either Shannon
14 Hicks or Jill Stewart with the water portion.

15 MS. ELLENBERG: Right. So let's touch on that
16 infiltration basin question.

17 MS. HICKS: Okay. This is Shannon Hicks. So the
18 infiltration basin does have design standards. The
19 state design standards start with designing to meet
20 the two- and the ten-year 24-hour storm event,
21 which is a storm that -- the two-year's a 50
22 percent change likelihood of happening every year,
23 and the ten-year is a 10 percent change of it
24 happening every year. The Town of Hilton Head also
25 has design requirements. And, through a program

1 implemented by EPA, they are actually the lead on
2 the technical review in this area, and most often
3 the local government requirements exceed the state
4 standards because the state standards are -- are a
5 guideline.

6 But with infiltration basins, there's also
7 pretty specific criteria as well where the invert
8 of the basin has to be a half a foot above the
9 seasonal high ground water table, and there's soils
10 data that has to be acquired from the site, soil
11 borings, to measure the infiltration rate of the
12 soil, and then also to actually physically locate
13 the location of the seasonal high ground water
14 table. So there are certainly design standards for
15 that infiltration basin and the actual technical
16 review of that, and the review was done by the Town
17 of Hilton Head. We've spoken with them, Brian
18 Eber, the stormwater manager over there, has
19 reviewed the design calculations and has provided
20 an approval for it.

21 MR. SCHLEGEL: Shannon, it's Keith Schlegel again. I'm
22 sorry, but if I may, one of my neighbors called the
23 Stormwater Runoff Commission for the Town of Hilton
24 Head, and -- the day before yesterday, and they
25 advised that they were not aware of this site or

1 the permit. So who is it that's signed off on
2 this?

3 MS. HICKS: Brian Eber with the Town of Hilton Head.

4 MR. SCHLEGEL: Is his signoff public record?

5 MS. HICKS: Sure. We can send you a copy.

6 MR. SCHLEGEL: Thank you.

7 MS. ELLENBERG: Thank you, Shannon. I know there were
8 some other questions there about financial
9 assurance and, again, the floodplain location that
10 we've touched on earlier.

11 MR. KOON: Yeah. So the financial assurance, you know,
12 we've reviewed this financial assurance -- the
13 closure cost estimate, if you will, which is a
14 little over \$34,000 for 250 tons. And, you know,
15 we've evaluated it against what we've seen at other
16 facilities, and it is very much in line with what
17 we typically approve at other C&D transfer
18 stations. So we do have, you know, good data on
19 how much it costs to -- to move waste from one
20 facility to another.

21 You know, as you mentioned, kind of comparing
22 this to how much it cost to remove the Able
23 material, you know, that was way order of
24 magnitudes more than what is permitted at this
25 site. And, you know, with ongoing inspections,

1 we'll be making sure that he stays below that
2 permitted tonnage of 240 tons. You know, if -- if
3 -- if we see --

4 MR. SCHLEGEL: Thank -- thank you -- thank you for that,
5 Justin. But, again, that presumes that, if you're
6 -- if you're checking once every 90 days, if there
7 are financial issues there, you will not have 240
8 tons on -- on-site. And -- and the most recent
9 experience you have in terms of what it costs to
10 remediate one of these sites -- granted the site
11 was much larger, the pile was massive -- I don't
12 anticipate this could ever get to that level, but
13 to -- to go with the assumption that the engineer
14 presented in the application presumes that the
15 business is operating perfectly at the time you
16 step in. And that normally is not the case, so
17 thank you.

18 MS. ELLENBERG: All right. Juli, did you want to add
19 something to this discussion as well?

20 MS. BLALOCK: Sure. I think we keep hearing concerns
21 about the history of this particular applicant, and
22 I just want to talk about, kind of, from a program
23 standpoint the history of that. Decades ago and
24 since that time, there was something proposed
25 called the "bad actor legislation," and we've tried

1 for years to get that legislation passed so that
2 folks that don't have a good operating history
3 would not be able to -- you know, that we could
4 deny permits based on their history. And we have
5 been unsuccessful in getting any legislation like
6 that passed. So it's not, like I said, for lack of
7 trying.

8 I mean, like the Able site, you know, a lot of
9 these companies set up as LLC, and that's why it's
10 so important that we have that FA on these sites so
11 that, if that LLC were to go bankrupt or walk away
12 or, you know, whatever, that FA is critical so that
13 we can bring a third party in and remove what would
14 be up to the 240 tons that could be stored on that
15 site off the site. But I -- I didn't want y'all to
16 think we haven't tried over the years to get
17 legislation passed that would definitely hold
18 people's former actions on other sites -- hold them
19 accountable for those as we go forward in a
20 permitting process. Thank you.

21 MS. MOYE: Thank you, Juli. So, Kristy, I know that we
22 are coming up on 8:50, and we had mentioned on the
23 agenda that our time to -- to close the meeting
24 would be around nine o'clock. I also see that we
25 have several other people who have questions. So

1 maybe if we could take two or three more of those
2 and then have time for some closing comments before
3 we -- we leave --

4 MS. ELLENBERG: Sure. Sure, Donna. I think what we
5 might do is go to Kent Kerkhof, and then I want to
6 make sure we go back -- there was somebody earlier
7 we tried to call on via phone with the phone number
8 ending in 9102. So is Kent Kerkhof available?
9 Mr. Kerkhof, it looks like you're unmuted, but
10 we're not hearing you. Okay, Mr. Kerkhof, let's --
11 can we hear you now? We might be having some
12 issues with a microphone there.

13 How about the phone number ending in 9102? If
14 you could use star-six to unmute. We do want to
15 make sure we're able to -- to follow up. Again,
16 tonight's not the only opportunity to be able to --
17 to touch base with us and ask questions and share
18 concerns. And so we want to make sure we're able
19 to continue that conversation.

20 How about Marshall Fletcher? Is Marshall
21 Fletcher able to -- to unmute? You can use your
22 microphone? I see that microphone lighting up.
23 Marshall, are you there?

24 I'm going to ask my tech team in the
25 background to aid if they have any advice to offer

1 here as we seem to be having some trouble with --
2 with some of the muting and unmuting. There may be
3 some trouble with microphones or -- or something
4 else with the platform. How about we have phone
5 number ending in 0102? Wait.

6 MR. COUCH: Hello? My name --

7 MS. ELLENBERG: Hello. How are you?

8 UNKNOWN: Hello?

9 MR. COUCH: Fine. My name is Ken Couch, and I'm -- live
10 in Port Royal Plantation. And I just -- listening
11 to all the things, many of my questions have been
12 answered. But I was just wondering: What is the
13 experience of DHEC -- how many barrier islands that
14 are not industrial, tourist sites, have you
15 approved these type of Class Two C&D sites? And
16 what outcomes have you had from -- from this? I --
17 I just don't understand why this is going on a
18 barrier island.

19 MS. ELLENBERG: Justin, is that something you can --

20 MR. KOON: Yeah. I mean, I can -- I can take a stab at
21 it. You know, I'm not real sure how many
22 facilities we have permitted on a barrier island.
23 You know, one of the closest facilities I can think
24 of to the coast would be probably the Barnwell
25 Resources Class Two Landfill on Lady's Island, so

1 kind of in downtown Beaufort. And it -- I mean,
2 it's a Class Two landfill. It takes the -- the
3 material, you know, that would come to this
4 facility, but they take it for permanent disposal.
5 You know, we have groundwater monitoring around
6 that facility. I can't think of too many issues
7 that we've had at that facility. But it -- it's
8 probably the closest that I can think of that's
9 been permitted to a barrier island. I'm not sure
10 if Lady's Island is a -- is considered a barrier
11 island, though.

12 MS. ELLENBERG: Thank you, Justin.

13 MS. MOYE: Thank you.

14 MR. COUCH: Thank -- thank you for that, Justin. And I
15 guess that's I guess where I'm -- I'm trying to
16 figure out: Are you basing your data and things
17 that you're -- that you're going to approve this on
18 basically on inland transfer stations and waste
19 sites and -- or is -- are we just being grouped in
20 even though we are very fragile ecologically
21 (technical interruption), or are we just being
22 grouped into inland?

23 MR. KOON: I mean, I -- I don't think you're being
24 grouped into either of those categories. I mean,
25 you know, we have a regulation that's been

1 developed, and this site is required to meet the
2 requirements of the reg.

3 MS. ELLENBERG: Justin, I think another point to -- to
4 maybe go back to -- and this was on some of the
5 slides we shared about our permitting process and
6 previous concerns to -- when anything is in our
7 seven coastal counties, it does have coastal zone
8 consistency as part of that process with OCRM.
9 OCRM -- it's my turn to use an acronym -- is for
10 your Ocean and Coastal Resource Management and so
11 kind of Chris Stout and -- and that crew. Chris,
12 do you want to add to that? Looks like Chris is
13 unmuting his line. I'm sorry eight coastal
14 counties maybe.

15 Well, now I'm not hearing from Chris. But
16 there -- there is a coastal zone consistency
17 process with things are located in our coastal
18 counties of South Carolina, which is part of the
19 process as well versus other counties.

20 MR. KOON: Yeah. So we -- we would not be able to issue
21 our permit without a coastal zone consistency
22 determination being done. And hopefully Chris can
23 add, you know, kind of what they look at as part of
24 their process.

25 MS. ELLENBERG: We might be able, in the interest of

1 time, to -- to kind of add some further information
2 after tonight about that -- that process.

3 MS. BLALOCK: Can I add a little bit to that, Kristy? I
4 know Chris is having some --

5 MS. ELLENBERG: Sure.

6 MS. BLALOCK: -- issues with his phone, and I'm not
7 really going to talk to the -- the OCRM process,
8 but I guess about the question of other transfer
9 stations on barrier islands and tourist
10 destinations and mainland versus islands.

11 We do have numerous transfer stations -- and I
12 realize these aren't islands, but we do have
13 transfer stations in Charleston on the peninsula
14 and areas outside of Charleston: Mt. Pleasant, you
15 know; Ashley River, West Ashley area; as well as
16 Myrtle Beach. We have a lot there. A lot of times
17 several of the smaller beaches and islands, the
18 county actually runs the convenience centers on the
19 islands, which are similar to the transfer
20 stations.

21 Many of you've seen them, and we talked about
22 them in -- on September 10th, that those are
23 county-run facilities that have the roll-off
24 containers that people can put their C&D debris in
25 or their household garbage in, and then that --

1 that material is picked up by a truck and
2 transferred off the island. These transfer
3 stations and convenience stations are put in these
4 locations because landfills can't be located there
5 because of the environment.

6 So that's what I'm saying: These places are
7 out there. You know, I vacation down at
8 Litchfield, Pawley's, Hilton Head, and, yes, there
9 are transfer stations and convenience centers that
10 do the same type of operation bringing this
11 material out of those coastal areas. So -- and as
12 far as, like I said, tourist destination, we have
13 numerous transfer stations in some of our biggest
14 tourist destinations in the state.

15 MR. KOON: And -- and another point is, you know, we
16 don't regulate the convenience centers that are
17 operated by the -- the coastal -- or by any county,
18 so we're not aware of where those are necessarily
19 located other than having visited some of those
20 places and -- and actually see them. So yeah.

21 MS. ELLENBERG: Thanks for that. I do see two more
22 numbers that -- that we have --

23 MR. COUCH: Thanks for your --

24 MS. ELLENBERG: -- that had indicated they wanted to
25 speak. I know we are at 8:57, so I do want to

1 respect our time tonight and the agenda tonight,
2 but maybe let's see if we can touch on quickly with
3 a phone number ending in 9898 and then a phone
4 number ending in 4631, and then we'll try to -- to
5 finish up the meeting tonight and tell you how to
6 continue to stay involved in the process.

7 Phone number ending in 9898, if you could use
8 star-six and --

9 MR. AKERS: Hello?

10 MS. ELLENBERG: Hello.

11 MR. AKERS: Hi. My name is Nick Akers, and I wanted to
12 follow up with a comment and a question relative to
13 Lynn Wiggins' earlier comments having to do with
14 the drainage ditch. And there were -- it's a lot
15 of conversation surrounding that drainage ditch,
16 and you're going to research, I think, with the
17 Army Corps of Engineers whether that really is, in
18 fact, a drainage ditch or not; is that correct?

19 MR. KOON: So the -- the Army Corps wouldn't necessarily
20 tell us whether it's a drainage ditch. They would
21 tell us whether it's like waters of the state or
22 waters of the US. But, yes, we would be --

23 MR. AKERS: Maybe my --

24 MR. KOON: -- consulting --

25 MR. AKERS: Maybe my question then would be: If it is

1 not a drainage ditch, then that would alter the
2 parameter of the boundary; is that correct?

3 MR. KOON: Yes. It would alter where the operating area
4 could be located, correct. He would have to
5 provide that 200-foot buffer if it's deemed not to
6 be a drainage ditch.

7 MR. AKERS: And to her point, then, if it were not a
8 drainage ditch, then the site-specific geography
9 would be substantially reduced because of that now
10 new buffer zone, correct?

11 MR. KOON: Yes. He would definitely have to move the --
12 the operating area, you know, to the southwest and
13 -- and be able to meet the buffers.

14 MS. ELLENBERG: Thank you for that. Let's see if
15 someone from the phone number 4631, and then we're
16 going to try to wrap up tonight's meeting. If
17 you're calling in from that --

18 MR. AKERS: I have a --

19 MS. ELLENBERG: -- phone number ending in 4631.

20 MR. SCRUGGS: Yes. Hi. Can you hear me?

21 MS. ELLENBERG: Yes, sir. What's --

22 MR. SCRUGGS: My name's Sam Scruggs.

23 MS. ELLENBERG: -- your name, sir?

24 MR. SCRUGGS: Sam Scruggs. My question is -- I guess a
25 couple questions and a comment.

1 UNKNOWN: Hello?

2 MR. SCRUGGS: In the material that was just posted after
3 the last meeting -- you keep on saying you're going
4 to consult the Army Corps of Engineers, but in that
5 documentation, the Army Corps has determined the
6 site is not a water of the United States; is that
7 correct?

8 MR. KOON: I -- I don't think they made a determination
9 on anything off-site is what I'm hearing. The --
10 the -- the determination that's been made so far is
11 only relevant to the 4-acre parcel in question.

12 MR. SCRUGGS: Okay. So pursuant to the previous
13 question, the determination of whether this is
14 drainage ditch or not does not like with the Army
15 Corps, that lies with DHEC; is that correct?

16 MR. KOON: It does. That is correct.

17 MR. SCRUGGS: Okay. And I think someone at the
18 beginning -- I guess, what's the determination
19 you're going to use whether that's a drainage ditch
20 or not?

21 MR. KOON: We would rely on our Bureau of Water to make
22 that determination or to assist --

23 MR. SCRUGGS: Okay.

24 MR. KOON: -- in making that determination. So --

25 MR. SCRUGGS: And what is the conditional -- so you've

1 conditionally approved this permit. What exactly
2 does that mean? You conditionally approved the
3 draft permit when it was made, so does that mean
4 you've reviewed this against the statute and you
5 haven't found anything that would prohibit you from
6 denying the application?

7 MR. KOON: Correct.

8 MR. SCRUGGS: So I guess I understand all the empathy
9 and that you -- you've never had so much opposition
10 to a C&D site before, but I've heard nothing --
11 despite the empathy, I've heard nothing --
12 especially from you, Mr. Koon -- that suggests that
13 you're going to deny this permit.

14 MS. ELLENBERG: Mr. Scruggs, this might be a -- a good
15 time for us to kind of go back to where we are in
16 the process. What I'm hearing is -- we have noted
17 that -- and, Justin, can we go back to that slide
18 -- or whoever's currently presenting, let's go back
19 towards the end. We had a slide that kind of
20 outlines the timeline going forward. There you go.
21 So, again, that notice of draft permit was done in
22 -- in June. And we've been having this public
23 participation process that's gone forward from
24 there. And this is the second public meeting
25 tonight. We do have a public hearing, and the

1 comments and concerns that we've been hearing,
2 again, both in these meetings and outside of these
3 meetings, are things that our staff has continued
4 to follow up and work on as well. And I think
5 we've -- we've tried to point that out a few times.
6 And the -- the process is going to continue after
7 tonight. We are going to be able to have that
8 public hearing opportunity (technical
9 interruption) --

10 MR. KOON: Kristy, somebody muted everyone. So --

11 MS. ELLENBERG: Sorry about that. Well, I don't quite
12 know exactly where I got cut off, but what I was
13 going to say is we do have that opportunity for a
14 public hearing on October 22nd. If you keep
15 following along with the -- the website and stay
16 abreast of -- of kind of any updates that we add to
17 that, as well, you'll find more information about
18 that.

19 The public hearing is where we take formal
20 written and oral public comments, and so it will be
21 an opportunity to go on the record. It's a little
22 different from tonight and the meeting we
23 previously had because we're not able to have that
24 kind of question-and-answer and dialogue back and
25 forth. But it's where we're able to -- to take

1 those formal public comments. And, again, the
2 formal public comment period that can be submitted
3 by -- by mail or by e-mail will continue through
4 November 5th. So we are committed to kind of that
5 public participation process.

6 And, Donna, you might want to add anything
7 onto that as well.

8 MS. MOYE: Yeah. Thank you, Kristy. So I just want to
9 -- wanted to say that, first of all, we do thank
10 you for your questions and comments tonight. We do
11 hear your frustration, and we do -- going forward,
12 you know, we -- we've listened to that. And -- and
13 so that does have an impact on our process as it --
14 as it moves forward. So I encourage you to
15 continue to give us your feedback to continue to
16 ask us questions, whether that be by e-mail or mail
17 or phone or -- or however that is. Like the
18 outline that Kristy just mentioned, we have several
19 opportunities for you to engage with us, and we
20 certainly do encourage you to do that.

21 So I know that we are at nine -- 9:05 right
22 now. So what I would like to do would be just to
23 reiterate a few points before we -- we close the
24 meeting. As Kristy just mentioned, DHEC's virtual
25 public hearing for the proposed transfer station

1 will be held on Thursday October 22nd of this year.
2 The public hearing is a formal opportunity for
3 comments to be stated officially for the record.
4 And they will be transcribed -- transcribed by a
5 court reporter. Additional information about the
6 public hearing will be posted on our webpage as we
7 get closer to the hearing date. A reminder that
8 the public comment period will remain open through
9 November 5th of 2020. That's a little time after
10 the public hearing.

11 And it is so important that you stay connected
12 with us. Please reach out by phone, mail, or e-
13 mail if we did not have an answer to your question
14 tonight, or if you're interested in discussing
15 specific aspects of this proposed project, we will
16 certainly be happy to talk with you more. Also
17 there will be a link posted on our webpage to a
18 public meeting survey. We are interested in
19 knowing your thoughts and suggestions about
20 tonight's virtual meeting and how DHEC can improve
21 the way we communicate and share information with
22 you. Please take a moment to complete this survey
23 within the next couple of days.

24 So on behalf of DHEC, I would again like to
25 thank you for your participation this evening and

1 your -- your patience and your respectfulness
2 towards all who have participated.

3 Please protect yourself and others by
4 following local, state, and federal guidelines to
5 minimize the spread of COVID-19. This virtual
6 public meeting will now be adjourned and you can
7 disconnect from the meeting. Goodnight.

8 (End of recording.)

9 (*This transcript may contain quoted material.
10 Such material is reproduced as read or quoted
11 by the speaker.)

12

13

14

15

16

17

18

19

20

21

22

23

24

25

