

**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

**NOTICE OF GENERAL PUBLIC INTEREST**

DHEC-Bureau of Land and Waste Management, File # 18-06-HW  
Columbia Nitrogen Site

**NOTICE OF CONSENT AGREEMENT,  
CONTRIBUTION PROTECTION, AND COMMENT PERIOD**

PLEASE TAKE NOTICE that the South Carolina Department of Health and Environmental Control (the Department) intends to enter into a Consent Agreement (CA) with J. Holcombe Enterprises, L.P., James H. Holcombe, J. Henry Fair, Jr., and PCS Nitrogen Inc. (the Respondents) to address future obligations at the Columbia Nitrogen Site located in Charleston County, at 1801 Milford Street, Charleston, South Carolina (the Site).

Future obligations described in the CA include performance of a Post-Removal Action Site Control Plan (PRSCP) as required by the United States Environmental Protection Agency (USEPA) pursuant to a Unilateral Administrative Order dated September 21, 2015 and a subsequent Administrative Settlement Agreement and Order on Consent for Removal Action entered into between the USEPA and the Respondents. The PRSCP includes a revegetation monitoring and erosion control plan, a groundwater monitoring plan, and maintenance of institutional controls. These activities will be performed under the Department's oversight and enforcement authority. Further, the CA provides for the payment of the Department's costs for overseeing the work performed by the Respondents.

The CA is subject to a thirty-day public comment period consistent with the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. Section 9613, and the South Carolina Hazardous Waste Management Act (HWMA), S.C. Code Ann. Section 44-56-200 (as amended). Notice of Contribution Protection and Comment Period will be provided to known potentially responsible parties. The CA is available:

- (1) On-line at <http://www.scdhec.gov/PublicNotices>; or
- (2) By contacting G. Kendall Taylor, Director, at 803-898-0835 or [taylorlgk@dhec.sc.gov](mailto:taylorlgk@dhec.sc.gov).

Any comments to the proposed CA must be submitted in writing, postmarked no later May 29, 2018 and addressed to: G. Kendall Taylor, Director, BLWM Division of SARR, SCDHEC, 2600 Bull Street, Columbia, SC 29201.

Upon the successful completion of the CA, the Respondents will receive a covenant not to sue for the work done in completing the response actions specifically covered in the CA and completed in accordance with the approved work plans and reports. Upon execution of the CA, the Respondents shall be deemed to have resolved their liability to the State in an administrative settlement for purposes of, and to the extent authorized under CERCLA, 42 U.S.C. Sections 9613(f)(2) and 9613(f)(3)(B), and under HWMA, S.C. Code Ann. Section 44-56-200, for the matters addressed in the CA. Further, to the extent authorized under 42 U.S.C. Section 9613(f)(3)(B), S.C. Code Ann. Section 44-56-200, the Respondents may seek contribution from any person who is not a party to this administrative settlement.