

State of South Carolina)
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County of Beaufort)
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In Re: Proposed)
ArborNature C&D)
Transfer Station)
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Transcript
of
Public Meeting

Date: September 10, 2020

Location: Meeting Held Virtually for all Attendants

Transcribed by
Audrey S. Beebe

APPEARANCES

DHEC staff present:

Lawra Boyce
Donna Moye
Kristy Ellenberg
Justin Koon
Juli Blalock
Katherine Yon
Jill Stewart
Reahnita Tuten
Chris Stout
Myra Reece
Tim Eleazer
Sean Briggs
Shannon Hicks
Wendy Boswell

Speakers from the public:

Jim Fisher
David Fingerhut
Risa Prince
Lance Pyle
Roger Briney
Senator Tom Davis
Joe Bogacz
Paul Meehan
I.S. Leevy Johnson
Monique Lyons
Councilman Glenn Stanford
Tony Poleo
Dominic Spina
Brandon Roos
Lawrence Laxton

PROCEEDINGS

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MS. BOYCE: Hello and welcome. Thank you so much for joining us for DHEC's public meeting for the proposed ArborNature Transfer Station. I am Lawra Boyce. I'm the community engagement coordinator for DHEC's Office for Environmental Affairs, and I will be serving as your technology host for tonight's virtual meeting. There's also several other people on our tech team that will be assisting me tonight. I'll ask them to introduce themselves.

MR. BRIGGS: Good evening. This is Sean Briggs.

MS. ELLENBERG: Good evening. This is Kristy Ellenberg.

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

MS. BOYCE: Thanks so much, guys. In just a few minutes, you will also be introduced to several other DHEC staff who are also involved in tonight's virtual meeting.

As I mentioned earlier, if you know of anyone that may be experiencing any difficulties accessing the meeting through the Skype app or through the web option, there is an option to call in and participate in the meeting that way through your phone. The phone number is on the screen here.

1 It's also included on our webpage, as well as in
2 the registration e-mail that was provided earlier
3 today to all who preregistered for the meeting.

4 We are using this technology to provide
5 opportunities for continued participation in our
6 decision-making processes while we do our part to
7 reduce the spread of coronavirus by following
8 current federal and state guidelines that promote
9 social distancing. We want to hear from everyone
10 who's interested in this project, but as the
11 state's public health agency, we certainly do make
12 public health and safety a priority. So we
13 encourage you to help stop the spread of COVID by
14 washing your hands, staying home when you're sick,
15 covering your coughs and sneezes, and cleaning
16 surfaces often, and of course wearing a mask when
17 you do go out in public. We certainly also
18 encourage you to stay up to date with all the
19 information relating to COVID-19 by visiting our
20 webpage: scdhec.gov/covid19.

21 Your participation in this process is very
22 important to us, so we have gone to extensive
23 efforts to ensure that anyone who's interested in
24 engaging with us has the ability to do so. We're
25 continuing to evaluate the tools and

1 accommodations, and we will certainly welcome your
2 input on how we may be able to improve your
3 experience with virtual participation. Please give
4 us your thoughts in a feedback survey that's going
5 to be posted on our webpage tonight after the
6 meeting is over.

7 In order to maximize your experience with the
8 virtual meeting, we've found a few things to help
9 with that. We do encourage you to close any other
10 applications that may be running on your computer
11 and turn off other streaming services or devices at
12 your location for the duration of the virtual
13 meeting. As I mentioned earlier, all lines have
14 been muted in order to minimize background noise
15 and echoing so that everyone can hear the
16 presenters. After the presentation, we certainly
17 will unmute lines and call on folks who have
18 indicated they would like to speak and provide you
19 an opportunity to ask your questions.

20 This virtual meeting is recorded, and the
21 recording will be placed on our webpage in the next
22 few days. We have started the recording.

23 Donna Moye and Kristy Ellenberg will be
24 serving as your facilitators tonight, and I will
25 assist after the presentation with some additional

1 instructions for the question-and-answer session.

2 Okay. Donna, I think -- if you are ready, I
3 think we can go ahead and get started.

4 MS. MOYE: Thank you, Lawra. Hello and welcome. My
5 name is Donna Moyer. I am the public participation
6 coordinator for DHEC's Bureau of Land and Waste
7 Management in Columbia. It is a pleasure to be
8 here with you, and on behalf of DHEC, I would like
9 to thank you for taking the time to join us
10 remotely. I will be cofacilitating tonight's
11 virtual meeting along with Kristy Ellenberg, and I
12 would ask Kristy now to, again, introduce herself
13 and her position within the agency.

14 MS. ELLENBERG: Good evening again. I'm Kristy
15 Ellenberg. I'm the director of collaborative
16 partnerships for DHEC's Environmental Affairs.
17 Happy to be here.

18 MS. MOYE: Thank you, Kristy. DHEC is holding this
19 meeting because we recognized very early on that
20 this is an important issue in your community. Our
21 purpose for this meeting is to share information
22 with you, answer your questions, and make sure that
23 you know how to stay connected with us throughout
24 this process. Our goal for this meeting is for you
25 to know that your voice has been heard prior to a

1 final decision being made. The perspective that
2 each of you bring to the conversation tonight is
3 unique and valued.

4 As of early this afternoon, we had over 200
5 participants joining the meeting tonight, and it is
6 wonderful to see this level of interest from the
7 local community. Because of this overwhelming
8 interest, DHEC made the decision late this
9 afternoon to postpone the public hearing that is
10 scheduled for next week on Thursday, September
11 17th, at 6:30 p.m. Instead, we will be having a
12 second public meeting at that time to give those
13 who may not be able to ask a question tonight and
14 those who are unable to join the meeting the
15 opportunity to have a conversation with us. It is
16 really important to us that we hear from everyone
17 and that we provide you with the information that
18 you need to make comments during the public
19 hearing. We will be providing additional
20 information on our webpage and through e-mail about
21 the meeting next week and the rescheduled public
22 hearing prior to next Thursday.

23 As you know, COVID-19 has impacted the way we
24 all communicate with each other, both personally
25 and professionally. In keeping with our agency's

1 efforts to prevent the spread of COVID-19, we are
2 continuously looking at how we can connect with
3 communities in new and innovative ways while still
4 promoting social distancing and avoiding group
5 gatherings. This virtual public meeting was
6 planned with these important points in mind. While
7 the business of our state must continue during this
8 time, DHEC remains committed to listening to your
9 questions and concerns and sharing information with
10 you.

11 We are pleased to have the opportunity to talk
12 with you tonight in this unconventional yet
13 meaningful way. This online -- online platform
14 will enable you to have a conversation with DHEC
15 staff in a live event setting. The technology is
16 advanced and comes with its own unique challenges.
17 We appreciate your patience and understanding as we
18 work through any technical issues that may arise.

19 As many of you are aware, DHEC has created a
20 webpage for access to information about the
21 proposed ArborNature C&D Transfer Station. This
22 meeting is being recording and will be posted on
23 the webpage along with the presentation that is
24 given tonight. The webpage address is
25 www.scdhec.gov/arbournature.

1 We will now move on to our agenda for this
2 meeting and introductions of DHEC staff who will be
3 addressing your questions tonight. I will call on
4 them individually to introduce themselves so that
5 you will recognize their voices. Their names will
6 also be shown on a slide a little later. We will
7 begin with Justin Koon.

8 MR. KOON: Good evening. My name is Justin Koon. I'm
9 the manager for the Solid Waste Permitting and
10 Monitoring Section.

11 MS. MOYE: Juli Blalock.

12 MS. BLALOCK: Good evening. I'm Juli Blalock. I'm the
13 assistant bureau chief for the Bureau of Land and
14 Waste Management.

15 MS. MOYE: Jill Stewart.

16 MS. STEWART: Good afternoon. I'm Jill Stewart. I work
17 with DHEC's Bureau of Water and Stormwater Program.

18 MS. MOYE: Shannon Hicks.

19 MS. HICKS: Good evening. I'm Shannon Hicks. I work
20 with DHEC's Bureau of Water, as well, and the
21 Coastal Stormwater Program.

22 MS. MOYE: Chris Stout.

23 MR. STOUT: Good evening. My name's Chris Stout. I
24 manage the Coastal Zone Consistency Section for
25 DHEC's Office of Ocean and Coastal Resource

1 Management.

2 MS. MOYE: Wendy Boswell.

3 MS. BOSWELL: Good evening. This is Wendy Boswell,
4 regional director for Charleston and Beaufort BEHS
5 offices.

6 MS. MOYE: And BEHS meaning the Bureau of Environmental
7 Health Services.

8 MS. BOSWELL: Yes, ma'am. Thank you, Donna.

9 MS. MOYE: Uh-huh. And, finally, Reahnita Tuten.

10 Is Reahnita's muke unmited -- is her mic
11 unmuted?

12 MS. TUTEN: Hi, guys. Can you hear me? Sorry about
13 that. Reahnita Tuten --

14 MS. MOYE: We can hear you, Reahnita.

15 MS. TUTEN: Okay. Great. Reahnita Tuten with DHEC.
16 I'm the local inspector of the permitted solid
17 waste facilities in the Beaufort region.

18 MS. MOYE: Thank you so much. So an overview of the
19 proposed transfer station will be given tonight by
20 Justin Koon. We ask that you hold any questions
21 you have during the presentation until the
22 question-and-answer session.

23 Following Justin's presentation, our tech
24 host, Lawra Boyce, will given instructions on how
25 to participate in the discussion from your remote

1 location. We will then begin calling on those of
2 you who indicated during preregistration that you
3 would like to speak. Once we conclude with those
4 who preregistered to speak, we will begin calling
5 on all others who have not yet had the opportunity.
6 We will alternate between those who are joining us
7 online and those who are joining us by phone.

8 We understand there may be a variety of
9 concerns about the proposed transfer station.
10 Please remember that the focus of this public
11 meeting is on DHEC's role as the state's
12 environmental permitting authority. A final
13 decision will not be made tonight and will not be
14 based upon how many people say the same thing.

15 There are four guidelines I will ask you to
16 remember before we get started. First, please be
17 respectful towards all who are presenting
18 information or making comments tonight. Second, we
19 want to get to as many of you as we can tonight, so
20 please ask only one question at a time. It is
21 important that everyone who wishes to ask a
22 question has an equal opportunity to do so. Third,
23 please do not interrupt a speaker or ask others to
24 respond while you are speaking. Should any
25 comments or actions begin to distract from the

1 intent of this meeting, you may be placed on mute
2 or removed from the online platform. And, finally,
3 please listen to learn the unique perspective that
4 each person brings to the conversation tonight.

5 With that, I will now call on Justin Koon to
6 begin our presentation. Justin?

7 MR. KOON: Good evening. Again, my name is Justin Koon,
8 and I'm the manager of the Solid Waste Permitting
9 and Monitoring Program. Tonight we're going to
10 talk about some general information regarding this
11 project, the proposed ArborNature C&D Transfer
12 Station. We're going to also look at: What is a
13 transfer station? We're going to talk about the
14 different permits that are required for this
15 project. We're going to look at acceptable and
16 unacceptable waste at the transfer station. We're
17 going to talk about the buffer and design
18 requirements, as well as the permitting process,
19 and the next steps going forward.

20 So some general information about this site:
21 ArborNature, LLC, is the applicant for this
22 project. Again, it is for a transfer station.
23 They are also proposing a composting facility at
24 this site, which is located at 26 Summit Drive on
25 Hilton Head Island, South Carolina. The site is

1 approximately 4 acres in size, and the transfer
2 station is proposed to store 240 tons of
3 construction and demolition debris. At this time,
4 the project has been approved for zoning through
5 the Town of Hilton Head.

6 So what is a transfer station? It's a place
7 where solid waste is taken from collection vehicles
8 and placed in other transportation units for
9 movement to another solid waste management
10 facility. Typically, we think of this as, you
11 know, small trucks come in; they get unloaded; and
12 it gets put on larger trucks to go back out to a --
13 a different facility. Some of that material may be
14 recycled at the facility.

15 So the different permits that are required at
16 this site: the solid waste transfer station
17 permit; a composting permit; and then also
18 associated with the site design, a construction
19 stormwater permit is required; as well as a coastal
20 zone consistency determination. The department is
21 still looking into whether or not an air permit is
22 needed for the composting facility, and we're
23 currently working with the applicant and their
24 consultant and making that determination.

25 All right. So right now I've got a -- a site

1 map to help people determine where the site will be
2 located. I'm going to try to pull up a laser
3 pointer real quick. So the project is right here
4 at the -- the thumbtack, the proposed ArborNature
5 site. To the west of that, you have the airport.
6 And then I believe this is Dillon Road coming
7 around here, and then Summit Drive kind of comes
8 right back here along the edge of the airport.

9 All right. So some acceptable waste at this
10 facility, it includes asphalt, concrete, bricks,
11 C&D debris, and land-clearing debris. They can
12 also take box springs and mattresses, glass, and
13 shingles. And then there's the three waste streams
14 that we've received a lot of comments about:
15 asbestos, lead-based paint, and dead animals. I
16 feel sure we'll talk about this more as part of the
17 Q&A session, but I do want to go ahead and bring up
18 the fact that, on the dead animals, we have
19 received a letter from the neighboring airport
20 indicating that they would like that restricted,
21 and so we are working with the applicant and will
22 be developing a permit condition that dead animals
23 will not be allowed at the site. And, you know, if
24 they do happen to get one at the site, it would be
25 removed within 24 hours.

1 So some unacceptable waste items that can't be
2 taken to the transfer station: any item containing
3 PCBs would not be allowed, petroleum contaminated
4 waste, sludges, infectious waste, hazardous waste,
5 and municipal solid waste. So none of these items
6 are allowed at a C&D transfer station.

7 So what is considered in DHEC's permitting
8 decision? So the -- the two main things are the
9 buffers and then the design criteria. There are
10 many other items that are looked at that's
11 prescribed in the regulation, which is 61-107.7
12 that we also make sure that they adhere to. But
13 for tonight, the buffer and design requirements are
14 a lot of what we're going to speak to.

15 So those buffer requirements that I was
16 speaking about, the operating area -- so this is
17 where the -- the waste will come in and be tipped
18 onto a floor. That operating area is required to
19 be at least 100 feet from a property line. It's
20 required to be 200 feet from any surface water, and
21 that buffer excludes drainage ditches and
22 sedimentation ponds. The operating area is also
23 required to be 200 feet from residences, schools,
24 hospitals, or recreational park areas. There's
25 also a buffer of 100 feet to any drinking water

1 well. There's a condition that it -- it cannot be
2 located in a wetland. And then there's also a
3 condition that says, whenever possible, transfer
4 stations shall not be constructed in a 100-year
5 floodplain. There are no buffer requirements
6 specific to an airport in the C&D transfer
7 regulation.

8 So this is the site map for this facility, and
9 we've overlain it onto an aerial imagery. So this
10 orange line here represents the parcel boundary.
11 This purple area here is the operating area. This
12 dashed blue line here is the 100-foot offset off of
13 the property line, so he cannot be located any
14 closer to the orange line than this dashed blue
15 line. So as you can see, he's, you know, right up
16 on that buffer on two sides of the operating area.
17 But he has to be -- maintain at least that 100-foot
18 buffer. And then, again, from that operating area,
19 there's the 200-foot buffer to surface waters and
20 residences, hospitals, the recreational parks. So
21 this is 200-foot offset from the operating area,
22 this purple dashed line.

23 Also on this map, you'll notice this dark blue
24 line to the south and east of the project. This is
25 an area that's been delineated as a wetland. And

1 then you'll see this dashed blue line kind of to
2 the north, and that is -- it's been designated as a
3 drainage ditch, and so that's why you see the
4 buffer does include that area as a drainage ditch
5 is excluded from the buffer.

6 Okay. So some of the design criteria that the
7 site has to -- to demonstrate. It has to have
8 proper on-site roads. They have to have access
9 control, and this means, you know, either a fence
10 or a gate is required so that people can't dispose
11 or take waste there without the owner being present
12 and knowing about it. They're also required to
13 provide signage. They have to have an agreement
14 with the fire department, and then there's also a
15 requirement for a low permeability pad.

16 Some other design criteria, which typically
17 the department has provided an exemption for or a
18 variance in regards to the handling of C&D waste at
19 a transfer station -- so this first section is an
20 excerpt from our regulation that says, "Solid
21 wastes identified as non-putrescible, which means
22 material that does not decay; recyclables; or
23 oversized, bulky, or untreatable solid waste may be
24 temporarily stored outside on the premises for a
25 period not to exceed one week. All right. So with

1 this being C&D debris, it meets those conditions.
2 Therefore, the following design criteria may not be
3 required: a water supply for cleaning the pad that
4 is equipped with drains or pumps, an enclosed
5 building, or an exhaust removal system.

6 Okay. So we've talked about what is
7 considered during the permitting process. Right
8 now, we're going to talk about what isn't
9 considered in DHEC's permitting process. So one of
10 the things is traffic on the roads; that's
11 something that's not provided for in our regulation
12 for us to consider. General opposition: You know,
13 we have to have a technical reason to deny a
14 permit. Property values, zoning or land use, and
15 incompatible uses: So in 2018 our act was amended
16 to get the department out of zoning issues.

17 So prior to 2018, we had a requirement in our
18 act that the department had to independently verify
19 that all zoning and land-use ordinances were met.
20 At this time, we accept a letter from the local
21 municipality or county indicating that a site is
22 consistent with zoning. And then the other thing
23 that we're not able to consider is whether or not
24 there is a -- a better alternative location.

25 So our permitting process: On March the 4th

1 of 2020, the department received the technical
2 application for the transfer station. On June the
3 10th, we noticed the draft permit by publishing an
4 ad in "The Island Packet" newspaper. On August the
5 18th of 2020, we again noticed in "The Island
6 Packet" that we were hosting a public meeting and a
7 public hearing. On September the 10th, which is
8 today, we're holding that public meeting. And as
9 you heard earlier, on September the 17th, that will
10 now be a public meeting, as well. So we -- we will
11 not be having the public hearing on September the
12 17th. We will be rescheduling that.

13 In addition to that, the -- the comment period
14 will be extended to provide at least one week after
15 the public hearing to provide any additional
16 comments. So we'll -- we'll have to find another
17 date for the end of the comment period.

18 So the next steps going forward: DHEC will
19 review all comments that are received as part of
20 this permitting process. We will review those
21 comments and make a final decision, and as part of
22 that final decision, we will be providing a written
23 response to all the comments that are received, to
24 everyone on the -- the facility's mailing list.
25 Once that final decision is made, that begins a

1 15-day appeal period.

2 So how can you comment? Again, the September
3 the 25th date will be adjusted, but you can
4 continue to comment by either mail or e-mail. You
5 can send that directly to myself: Justin Koon.
6 The mailing address is 2600 Bull Street, Columbia,
7 South Carolina 29201. You can also e-mail me at
8 koonjt -- that's k-o-o-n-j-t -- @dhec.sc.gov. And
9 you can also reach me on my telephone, (803)898-
10 1339. And again, we've established a website
11 specific for this project:

12 www.scdhec.gov/arbournature. We will continue to
13 have the application and draft permit available
14 there.

15 Our DHEC contacts: Tim Eleazer is in my
16 program in the Solid Waste Permitting Section.
17 He's one of the project managers that reviews
18 transfer stations. And then in the region Reahnita
19 Tuten, she's the regional inspector for solid waste
20 management facilities, as she mentioned earlier.

21 All right. So that brings us to the end of
22 the presentation portion of tonight, and I will
23 turn it back over to Donna Moye at this time. And
24 we'll begin receiving your -- your questions and
25 comments here shortly. Thank you.

1 MS. MOYE: Thank you, Justin. So now our tech host
2 Lawra Boyce will give instructions on commenting
3 from your remote location, and after that we will
4 begin calling on the -- those who have
5 preregistered. I believe we have roughly 17 people
6 at this point who preregistered. I might be off
7 one or two on that. But, Lawra, if you would like
8 to go ahead and -- and give instructions on -- on
9 how they can comment.

10 MS. BOYCE: Sure. Thanks, Donna. Yes. That is
11 correct. We do have a few people -- a few -- few
12 more have signed up, but we will get to them in
13 just a minute.

14 There are a couple of ways for you to ask your
15 questions tonight, and we do want to make sure that
16 we get to everybody. We do have a lot of folks
17 joining us tonight, and it is important that we
18 hear from you in the time that we have. So just a
19 few guidelines to help us. As a reminder, we are
20 recording this meeting, both as a resource for our
21 team, but also to share with those who may not be
22 able to join us tonight. So a copy of that
23 recording will be made available on our webpage as
24 soon as we can get it up there, hopefully in the
25 next day or two.

1 We may need to mute your line if there is
2 extra background noise so that we can ensure that
3 everyone is able to hear. If that is the case, we
4 will certainly try to come back to you and unmute
5 you again, and hopefully the background noise will
6 be taken care of. In the interest of time, we do
7 ask that you limit your questions to only one or
8 two at a time so that we can make sure that we are
9 hearing from everyone. We do have a few folks that
10 did sign up earlier to ask a question, so we will
11 begin calling on those.

12 In the meantime, if you're joining through
13 your computer, there is a Q&A board that we will
14 turn on shortly. It will look like this, what's on
15 your screen now. And it will allow you to type a
16 question in on the board, and that will get to our
17 tech team who will be organizing those questions so
18 that we can ensure that those questions get
19 addressed tonight as we have time.

20 It also is a way that you can let our tech
21 team know that you'd like to be called on to speak.
22 So if you indicate in that Q&A board that you do
23 have a question or that you'd like to speak, we can
24 get your line unmuted and give you that
25 opportunity.

1 Once we turn on that Q&A board, your screen
2 will show two tabs down at the bottom. One will
3 say "Presentation or Content Stage," and one will
4 say "Q&A Board" -- "Q&A." So once we do turn that
5 on, you can get back to the presentation and view
6 it, also.

7 Okay. Let's see. So the first person that we
8 would like to call on -- we will be calling on
9 folks randomly. So the first person that we would
10 like to call on is Mr. Lance Pyle.

11 Mr. Pyle, we will unmute your line. If you
12 could just state your name clearly for everyone and
13 go ahead and ask your question.

14 MS. YON: Mr. Pyle, you should now have the ability to
15 unmute yourself.

16 MS. BOYCE: You can click the microphone down at the
17 bottom. Mr. Pyle, we're not able to hear you at
18 the moment. Is there a microphone -- a blue circle
19 with a microphone in it? If it has a slash over
20 it, click that, and it should be unmuted.

21 Mr. Pyle, we'll try to come back to you if you
22 don't mind. We're going to move on to someone else
23 and -- and give you an opportunity to try to find
24 the mute button there.

25 How about Mr. Jim Fisher? Mr. Fisher, if you

1 can find that microphone down at the bottom and
2 click that, that will unmute.

3 ELLENBERG: And, Mr. Fisher, if you've joined us by
4 phone, you can use star-six. Is that right, Lawra?

5 MS. BOYCE: That's right. If you're on phone, please
6 use star-six as opposed to the phone's mute button.
7 Star-six will mute and unmute.

8 MR. FISHER: Jim Fisher here.

9 MS. BOYCE: Yes. Go ahead, Mr. Fisher.

10 MR. FISHER: In reading the permit, it appears that
11 there's a statement that says there will be no
12 monitoring of this site, yet there are limits such
13 as the volume of waste that can be maintained. How
14 can you have limits if you have no monitoring?

15 MS. MOYE: So that is a great question, Mr. Fisher. I'm
16 glad that you're getting us started off with one
17 that's that important. So, Justin, would you like
18 to address that?

19 MR. KOON: Sure. So the -- the monitoring that is
20 referenced there in the permit refers to
21 groundwater monitoring or air monitoring. So at a
22 -- a transfer station, that is not required.
23 Reahnita Tuten, again, is the regional inspector.
24 These facilities are inspected quarterly, so four
25 times a year, a DHEC representative will be

1 inspecting the facility. In addition to that, you
2 know, if the department receives comments from
3 citizens concerned about the -- the site, we also
4 try to follow up by inspecting the site within 24
5 hours of receiving those comments.

6 MR. FISHER: So, basically, you are not monitoring the
7 amount of waste that will be stored at this site?

8 MR. KOON: Yes. The inspector will be noting how much
9 debris is on-site during each inspection. And if
10 there is, you know, too much waste there, that
11 would be a compliance issue and they would have a
12 set number of days to get that taken care of or
13 they would be referred to compliance for actions.

14 MR. FISHER: So there is a limit of 240 tons, I think,
15 of -- of material that can be stored, and you would
16 be checking that, then, when you were (technical
17 interruption) visits?

18 MR. KOON: Yes. Yes. We would be making sure that the
19 facility remained below 240 tons during those
20 visits. Yes, sir.

21 MR. FISHER: And I assume that DHEC assumes that
22 quarterly is a good frequency; although, in my
23 opinion, that is absolutely somewhere between
24 absurd and ridiculous. If --

25 MS. MOYE: And, Justin, I -- I do think, you know, that

1 it's important to let everyone know that, you know,
2 at any time -- you are our eyes and ears in -- in
3 your community, and should, at any time, you see
4 something that doesn't look right to you or that
5 you have questions about based on your knowledge of
6 -- of what's supposed to be happening, we encourage
7 you to contact -- to reach out to our regional
8 office. If -- if they need to go out there and
9 check on something, we -- we certainly do respond
10 to those as they come in.

11 MR. KOON: That -- that's exactly right, Donna.

12 MR. FISHER: All right. That's my question.

13 MS. MOYE: Okay. Thank you, Mr. Fisher. We appreciate
14 that.

15 MS. BOYCE: That is great. Did we get Mr. Pyle unmuted?
16 Mr. Pyle, if you're having issues with the mute
17 button, I do apologize. The option for calling in
18 should make that much easier. And when you do call
19 in, the way to unmute would be star-six. We will
20 certainly get back to you. I do apologize for
21 that.

22 Do we have Mr. David Fingerhut? If you are on
23 the line, please unmute by clicking the microphone
24 or using star-six if you're on your phone.

25 MR. FINGERHUT: I am on the line. Can you hear me?

1 MS. BOYCE: Yes, sir. We can. Please go ahead.

2 MR. FINGERHUT: Excellent. Thank you. It looks to me
3 that the application was under Regulation 61-107.7
4 Transfer of Solid Waste, but it sounds to me that
5 there's going to be a grinding and composting
6 operation in that site. It's -- it's generally
7 mentioned in the application; it's specifically
8 mentioned, of course, in ArborNature's agreement
9 with the Town of Hilton Head as to what they're
10 going to be doing there. And I wonder: Isn't
11 there another regulation that controls that use
12 rather than this application?

13 MR. KOON: Yes. So 61-107.4 is our composting
14 regulation, and the composting -- or the composting
15 permit -- or the composting application is being
16 reviewed under that regulation: 61-107.4.

17 MR. FINGERHUT: Has -- and has such an application been
18 made?

19 MR. KOON: Yes. It has.

20 MR. FINGERHUT: And has there been public notice of
21 that?

22 MR. KOON: It -- it has gone through all the public
23 noticing that -- that is required.

24 MR. FINGERHUT: And that -- and that's not the -- the
25 permit that we're speaking about here this evening?

1 Or it is?

2 MR. KOON: It is not. It is not. Tonight we're here to
3 talk about the C&D transfer station.

4 MR. FINGERHUT: And -- and it's -- it's the -- the
5 owner's position that they're able to do both of
6 these things at the same time?

7 MR. KOON: Yes. We have many facilities in the state
8 that have multiple solid waste permits at the
9 facility.

10 MS. MOYE: So, Justin, do you have any additional
11 information that you maybe could share about that
12 aspect of this site?

13 MR. KOON: I -- I would have to kind of change gears and
14 find that information, Donna. But we can
15 definitely post some information to the website
16 maybe after tonight. But, yes, that -- that is
17 information that -- that we can provide.

18 MS. MOYE: Okay. Yeah. I think that that might really
19 help the others who are on the phone to understand
20 that issue a little bit more. It sounds like
21 Mr. Fingerhut is very aware of -- of what he's
22 talking about, and so we want to make sure that we
23 are able to provide some follow-up information on
24 that topic, whether it be, you know, on the webpage
25 or next week at the meeting or something like that.

1 So, Mr. Fingerhut, I just wanted you to know that
2 we were not going to lose -- lose that comment,
3 that we have noted it to -- to make sure that we
4 provide some follow-up information on that.

5 MR. KOON: And -- and I don't know if he -- if he has a
6 specific question concerning the composting of -- I
7 think I've got the -- the correct application
8 pulled up if he has a -- a specific question about
9 it.

10 MR. FINGERHUT: Well, my -- my sense was, although they
11 were requesting the transfer of solid waste permit,
12 what they're actually doing now and what they're
13 going to probably continue to do is -- is grind and
14 compost, and it seems to me that the regulations
15 are very different in terms of notice provisions
16 and so forth and buffers and, I mean, everything.

17 MR. KOON: Yes. Yes. They are, and, you know, he has
18 submitted a separate application for the composting
19 facility that -- it has been reviewed. It's --
20 essentially, the only thing missing at this time is
21 he has to provide financial assurance for that
22 permit, as well. And at this time, we have not
23 received a financial assurance mechanism, and so
24 that -- that permit has not been issued at this
25 time.

1 MR. FINGERHUT: And -- and will there be similar public
2 question-and-answer period? public notice? public
3 hearing? things of that nature?

4 MR. KOON: That -- that's not prescribed in that reg.

5 MR. FINGERHUT: Okay. Okay. Thank you.

6 MR. KOON: Sure.

7 MS. MOYE: Thank you.

8 MR. KOON: And, to comment further, we haven't received
9 any comments on that application either. You know,
10 all the comments that we have received were for the
11 transfer station permit. We -- we haven't received
12 any comments regarding the -- the grinding
13 operation.

14 MR. FINGERHUT: I -- I -- I suspect people are unaware
15 of it, and so that -- that would be why.

16 MS. MOYE: Well, we can certainly, you know, have some
17 additional information about that later to help --
18 to help others be more aware of -- of that process
19 and -- as well as that operation there at the site.
20 You -- you've raised a good -- a good issue, and so
21 we want to be able to -- to provide that
22 information. So thank you for that.

23 MR. FINGERHUT: Thank you.

24 MS. BOYCE: Donna, I wanted to make sure that we also
25 got to a question that is similar or at least

1 related that's been posted on the Q&A board
2 relating to that operation, also. Would you like
3 to read it, or would you like me to?

4 MS. MOYE: Do you want to go ahead and --

5 MS. BOYCE: Sure. And I will -- as I pull up this
6 question, I will remind everyone that our
7 presentation is posted on our webpage, and the
8 recording of this meeting will also be there also
9 so that these answers that we are providing tonight
10 will be able to be referred back to later.

11 But basically, the question is -- those --
12 it's relating to the nature of the application
13 submitted for a transfer station as opposed to the
14 intended use for composting and grinding: Why is
15 the applicant not required to demonstrate that it
16 meets the requirements of Regulation 61-107.4,
17 which do contain buffering requirements for
18 airports, as well as different environmental
19 protections? Shouldn't it meet the requirements of
20 both 61-107.7 and 61-107.4?

21 MR. KOON: Sure. So -- so, again, we have two different
22 applications that we are reviewing. One is
23 specific to the composting facility; it gets
24 reviewed under 61-107.4 to make sure that all the
25 requirements of that reg are met before we issue a

1 permit for that facility. And the second of which
2 is the transfer station, which we're here to
3 discuss tonight, and the requirements of the
4 transfer station are being reviewed in accordance
5 with 61-107.7. And two separate permits will be
6 issued -- or would be issued for the site.

7 MS. BOYCE: Okay. Great. There is one other question
8 that is somewhat related to permitting requirements
9 that's been posted in the Q&A board, Justin, and it
10 may be a good time to go ahead and address this,
11 also. "ArborNature is a tree service company.
12 What kind of experience do they have in managing a
13 C&D transfer station, and is there a minimum amount
14 of experience required?"

15 MR. KOON: No. Not that I'm aware of. There's not a --
16 a minimum experience that's required for a transfer
17 station.

18 MS. BOYCE: Okay. Donna, we do have a few more folks
19 that have indicated in the preregistration that
20 they'd like to speak. Do we have a Ms. Risa Prince
21 on the line? If you are on the line, please unmute
22 by clicking the microphone or using star-six if
23 you're on your phone. Ms. Risa Prince.

24 MS. PRINCE: Hi. This is Risa Prince. Thank you for
25 letting me speak. Having been aware of

1 ArborNature's ongoing operating and legal
2 challenges with the Town of Hilton Head over the
3 past several years, a number of us have significant
4 concerns about their ability to safely and
5 successfully manage a more complex operation such
6 as that required by the dual C&D waste transfer
7 facility and the grinding operation, so I offer the
8 following concerns and observations.

9 There appear to be several errors in the
10 application. While each may be minor, taken
11 together, they indicate a pattern of casual
12 consideration for thoroughness, accuracy, and
13 accountability, and that calls into question
14 ArborNature's ability to manage this type of
15 operation, as complex as it is, being dual
16 regulated, particularly, on a site that is adjacent
17 to residents and wetlands and has the potential for
18 harm to humans and the environment.

19 Specifically, my concerns are on the
20 contingency plan. I don't see that it offers
21 sufficient assurance that the stipulated training
22 will take place and that all operators will have a
23 complete understanding of appropriate procedures in
24 case of an emergency. There are no details of the
25 training curriculum.

1 On the closure plan, is it and its financial
2 assurance sufficient protection for a site adjacent
3 to a residential area and an airport? DHEC
4 certainly is aware of the cost of remedying a C&D
5 waste transfer facility, having just done so at
6 Able Construction out in Jasper County, and it's
7 highly unlikely that \$35,000 is sufficient to
8 remove the amount of debris that might accumulate
9 here, given that there was a \$5 million price tag
10 on the Able Construction remediation.

11 They don't specify any procedure for sorting
12 the recyclables, nor how they are to be disposed.
13 There's no detail for the daily cleaning operation
14 process, nor any assurance of operator training,
15 nor any assurance that it will be appropriately
16 conducted, recorded, and monitored.

17 In the facility design information, the
18 section on hours of waste delivery says that it is
19 operating 8 a.m. to 4 p.m., ten hours. I think I
20 can count, and that's eight hours. So one of those
21 numbers is wrong.

22 The stored solid waste density section, the
23 units of measure is listed as tons. Density is
24 tons per a specified volume.

25 And I can go on and on. And I will submit all

1 of these in writing, but the gist of my comments
2 are that this application seems to be
3 extraordinarily sloppy, and I would recommend that,
4 at the very least, all of these issues around
5 inappropriate documentation to DHEC be taken as a
6 sign of ArborNature's lack of thoroughness, which
7 we witnessed in its last operation here on Hilton
8 Head, and as a sign that they are incapable of
9 managing a -- a permit, let alone the operation of
10 a facility. Thank you.

11 MS. MOYE: Thank you, Ms. Prince. You did have many,
12 many questions in there, and we want to make sure
13 that we try and address those -- or many issues
14 that you're concerned about that Justin, I think,
15 will be able to address several of those. But I
16 did want to maybe go first to -- to the comparison
17 made with the Able Construction site. You know,
18 we, like you said, are well aware of the cost
19 incurred and -- and the effects on the community
20 from that site. We certainly want to be able to
21 clarify that for you tonight and for everyone else
22 who has similar questions. So I would like to ask
23 Juli Blalock to address -- address the Able site
24 and the comparison to this site. Juli?

25 MS. BLALOCK: Good evening, Ms. Prince and everybody

1 participating tonight. I'm -- just want to say
2 thank you for your questions, and Justin will
3 address some of the specifics about the
4 application, but I did want to take a minute to
5 discuss those comparisons between Able. I was
6 heavily involved in the Able project and well --
7 well aware of the cost, unfortunately, that the
8 department had to spend, as well as EPA, cleaning
9 this site up.

10 I -- this proposed facility is very different
11 from the Able site. Able was not a permitted
12 facility with the department and was definitely not
13 a transfer station. Right now, we are in
14 litigation or trying to recover costs, the
15 department is, so we're kind of limited on what we
16 can address about the Able site. But without a
17 permit at that site, we were not able to restrict
18 them to certain permit conditions, and there was no
19 financial assurance mechanism for us to clean up
20 that site.

21 So the difference being that, you know, a
22 transfer station is a facility meant for trucks to
23 come in, move the waste into bigger trucks
24 immediately, and move it off the site. So in this
25 case with ArborNature, which is different from what

1 Able was doing, is that, you know, these smaller
2 trucks would come in. The -- I'm going to address
3 part of the composting issue, too. A lot of
4 contractors who operate transfer stations do like
5 to pull out any of the materials that can be
6 recycled for a different purpose before sending
7 them to a landfill. And in the case with
8 ArborNature, if their business is tree-trimming and
9 things of that nature, then obviously pulling out
10 those materials and grinding them to compost into
11 another material instead of sending them to a
12 landfill would be a good option for them. So we
13 see this a lot of times in combination with
14 transfer stations.

15 But the entire intent is to move that waste
16 through the transfer station as quickly as possible
17 into larger trucks so that it can be properly
18 disposed of. So, you know, if you have any follow-
19 up questions on that, I'll be glad to, I guess, go
20 deeper into that, but I'll have Justin address some
21 of the specifics now. But did you have any follow-
22 up questions concerning the comparison at this
23 point?

24 MS. PRINCE: Well, my -- my biggest concern is that they
25 are only offering a financial assurance of \$35,000.

1 And to clean up a 4-acre facility, I -- I have a
2 very difficult time believing that that's
3 sufficient. Maybe it won't run into the millions
4 that you saw with Able, but I would have a hard
5 time believing that it will not far exceed 35,000.

6 MS. BLALOCK: And we definitely hear your concerns.

7 Based on the limitations of the design and the 240-
8 ton limit on the site, that was the amount
9 calculated based on that amount, and in combination
10 with our inspectors going out there -- which,
11 again, Able was not a permitted site that received
12 routine inspections -- we can keep an eye on a
13 facility of this type through the permit, and if we
14 see anything over that amount, we can certainly
15 bring in our compliance and enforcement folks to
16 take care of that issue.

17 MR. KOON: And, Juli, I think another thing that may
18 kind of shine some light on the -- the difference
19 is how much waste was removed at Able. And I think
20 that was about 120,000 tons. Does that sound
21 right?

22 MS. BLALOCK: That is -- that does sound correct.

23 MR. KOON: It's in that ballpark. So, you know, a
24 hundred and close to twenty thousand tons versus
25 240 tons at this site. And so that -- that's one

1 of the reasons why, you know, \$35,000 -- and
2 (technical interruption) looking at that right now,
3 and it looks like that's about \$12,500 that's
4 required on the composting side in addition to the
5 34,000 -- \$34,590 that's required on the transfer
6 station. So I know you said that you were going to
7 submit comments regarding the -- the -- the
8 inaccuracies that you saw on the permit
9 application, and so we definitely welcome that, and
10 we will address those issues with the consultant.

11 MS. MOYE: Is that the -- all of the issues that she
12 mentioned in the application, Justin? Did you have
13 any -- are those all things that you're going to
14 need to follow up with the applicant on?

15 MR. KOON: I mean, we would review each one and make
16 sure that -- you know, if -- if it is sufficient to
17 us, and if not, then we would go back to him and
18 have that corrected.

19 MS. PRINCE: Okay. And does it give you any cause for
20 concern that the application is -- is -- if the --
21 if you deem the application is deficient, would it
22 give you any pause or cause for concern about the
23 ability of this firm to actually operate
24 appropriately? Say, if -- if my assertions are
25 true and there are these 12 deficiencies that I've

1 identified in the application, other than allowing
2 the applicant to remedy its application, would that
3 not be an indication of their inability,
4 potentially, to thoroughly, accurately manage an
5 operation?

6 MR. KOON: I wouldn't think --

7 MS. PRINCE: Or is that outside the scope of what you
8 consider when somebody is applying?

9 MR. KOON: Yeah. I mean, the -- the completeness or the
10 accuracy of the -- the application, I mean, we
11 definitely want it to -- to be accurate.

12 (Technical interruption) as an indicator as to
13 whether or not they can efficiently or -- or
14 appropriately operate (technical interruption).

15 MS. PRINCE: So there is no performance assurance that
16 you attempt to -- to establish on their part,
17 despite the fact that DHEC's charter is to protect
18 the health and the environment of South Carolina
19 and its citizens? So anyone who could accurately
20 fill out an application would be granted such an
21 operation, regardless of whether they have, in
22 fact, proven that they have violated operating
23 procedures in the past?

24 MR. KOON: I -- I think that's two different issues.

25 You know, if -- if -- if they have inappropriately

1 operated a facility, that's different than, you
2 know, maybe having inaccuracies on an application.

3 MS. MOYE: But, Justin, that would be -- would that be
4 something that we would accept comments on if there
5 were questions about any other operations, you
6 know, or -- or past compliance issues?

7 MR. KOON: I mean, we would definitely, I guess, welcome
8 those comments and -- and review them. I'm not
9 sure that -- I'm not aware that he's had a permit
10 through the department for -- for --

11 MS. PRINCE: He has now -- on his previous -- on his
12 previous operation on Leg O Mutton --

13 MR. KOON: Right.

14 MS. PRINCE: -- where he -- where he willing -- willfully
15 violated the town's zoning. When I spoke to
16 someone in your office a couple of years ago when
17 this first came up, I was told that the size of his
18 operation then did not require a DHEC permit --

19 MR. KOON: Correct.

20 MS. PRINCE: -- because it was too small.

21 MR. KOON: It -- it -- he -- he was operating under
22 either the -- the exempt or the conditional exempt
23 status allowed under our composting regulation.

24 MS. PRINCE: Uh-huh.

25 MR. KOON: Yeah.

1 MS. PRINCE: And are -- are there any concerns about the
2 risks of poor management of a composting facility
3 that would cause -- lead to potential fires by
4 mismanaging the piles and -- and creating hot spots
5 at -- co-located with a waste transfer station that
6 potentially has flammable materials in it?

7 MR. KOON: Again, I would add that the composting
8 facility is also one that will be inspected. They
9 have to keep records on-site. They should be
10 keeping temperature of the pile and making sure
11 that they are properly managing it. But, again, we
12 -- Reahnita will be inspecting both the transfer
13 station and the composting facility to make sure
14 that they are adhering to all of their operational
15 requirements and to make sure that they're adhering
16 to all the requirements of the regulation.

17 MS. PRINCE: And -- and I -- I certainly understand that
18 we can't have inspectors going out to these sites
19 every day. But there's a long gap between
20 quarterly inspections and what an operator can be
21 doing in between, and even though the quarterly
22 inspections, I'm assuming, are not scheduled, that
23 they are random inspections, a poor operator can
24 get away with an awful lot between quarters. So I
25 guess it would take the public monitoring this and

1 reporting concerns should there be any.

2 MR. KOON: Sure. And I -- I think right now would
3 probably be a good time for maybe Reahnita to step
4 in and talk about, you know, what a typical
5 inspection entails. And, you know, if -- if you do
6 see issues at a site, maybe walk them through what
7 kind of time frames and then how often maybe you
8 check back at the facility to do follow-up
9 inspections, you know, if there are issues.

10 MS. ELLENBERG: Yeah. And -- and, Justin and Reahnita,
11 as we -- as we go to Reahnita -- this is Kristy
12 Ellenberg. I just wanted to add that we are
13 monitoring those questions that are coming in
14 through the Q&A. There are some on inspections as
15 well. One is asking, you know, about the
16 inspections, also hoping they're random and
17 unannounced. So, Reahnita, if you want to talk a
18 little bit about that inspection process, and then
19 we'll make sure we can continue answering other
20 questions. Reahnita, can you unmute?

21 MS. TUTEN: Hi.

22 MS. ELLENBERG: There you are.

23 MS. TUTEN: Yeah. Hi. It's Reahnita. Thank you for
24 that question. Yes. Typically, this particular
25 type of facility -- actually, both of them, the

1 compost and chipping site as well as the C&D
2 transfer station are inspected quarterly. We also
3 -- as Justin alluded to earlier, we would respond
4 to any complaints from the public and conduct a
5 visual inspection, as well. Those are unannounced.
6 If a violation of any of the regulatory parameters
7 or a deficiency is -- is observed during those
8 inspections, we do require follow-up inspections.
9 Typically, depending on the nature of the
10 deficiency, we allow about 30 days before a follow-
11 up inspection is conducted. We also have the
12 built-in practice of -- of consulting with
13 permitting and enforcement when necessary. I'm
14 trying to think.

15 Typically, I mean, we do have inspection
16 reports associated with each type of facility, so
17 each and every part of that regulation is addressed
18 as we visit -- make those site visits, including:
19 the storage limits, as you mentioned; buffers;
20 setbacks around material piles; general maintenance
21 and recordkeeping. Things like that are all
22 addressed each and every time we do make a site
23 visit.

24 I hope that answered most of the question.
25 Let me know if I have anything -- if you have

1 anything else you need me to add.

2 MS. ELLENBERG: Thanks, Reahnita. Let me go back.

3 Ms. Prince, when you first started, you talked a
4 lot about concerns with what was in the
5 application, and one of the things that I also
6 heard is you were saying that you want to make sure
7 that you're able to submit your written comments.

8 And I think this is a good time to remind
9 everyone that this is one opportunity to
10 participate tonight. It's a really important
11 conversation; we really appreciate everybody being
12 here and having such a large crowd tonight. There
13 are going to be other ways that we can continue
14 this conversation, as -- as Donna opened the
15 meeting saying next we're going to have another
16 public meeting opportunity and look at ways to
17 reschedule a public hearing out in the future. But
18 being able to -- to share those comments, written
19 and oral, and then the informal conversations
20 tonight are all really important. So I know we've
21 touched on a lot of those first issues that were
22 raised, and I know we want to make sure we're kind
23 of capturing some of these other questions and
24 people who wanted to participate tonight, as well.

25 So if it's okay, let's see if -- there are

1 quite a few questions coming in, in the Q&A,
2 Justin, that are about why this location was
3 chosen. Are there some kind of location-based
4 information that you can -- that you can share with
5 the group as well? There's also one saying: If a
6 permit's still pending, not currently issued, is
7 the location, you know, currently being used in any
8 way by ArborNature? So one is kind of why this
9 location, and is it already being used?

10 MR. KOON: Sure. So why this location was chosen: That
11 is 100 percent up to the applicant. You know,
12 there's a lot of factors that go into choosing a
13 location. One would be, you know, does it meet
14 local zoning and land-use ordinances? You know,
15 the -- the site would also have to meet our buffer
16 requirements. You know, aside from that, I mean,
17 there's just a lot of different factors that,
18 again, the applicant would consider as far as the
19 location. You know, DHEC's responsibility is to
20 review the applications and make sure that the
21 requirements in the regulation are being upheld.
22 We really do not play a part in choosing a
23 location. We just have to make sure that that
24 location is consistent with our regulation.

25 What was the -- the second half of that

1 question, Kristy?

2 MS. ELLENBERG: I believe it was asking --

3 MR. KOON: Oh, are they already in use?

4 MS. ELLENBERG: Uh-huh.

5 MR. KOON: So I think Reahnita may have gone there
6 yesterday or the day before, and also we've talked
7 to the -- the Town of Hilton Head, and we -- we
8 know that they have continued operating their
9 composting facility. And, you know, at this time,
10 I believe he's still operating underneath that
11 exempt or conditional exempt status. You know, he
12 would have -- have to continue meeting those
13 conditions until the permit is issued. And,
14 whenever the permit is issued, then he can -- I
15 think it would allow him to bring more material --
16 or store more material at that site to be
17 composted.

18 MS. ELLENBERG: Another kind of location-related
19 question from that Q&A, one is citing the statute
20 that "a transfer station shall not be located
21 within any wetlands, as delineated and defined
22 specifically as wetlands according to the
23 methodology accepted by US Army Corps of Engineers
24 and US EPA. So have EPA and US Army Corps made a
25 determination of whether this site is considered a

1 wetland?"

2 Chris Stout is with our Office of Coastal
3 Resource -- OCRM; I've got to remember our -- our
4 acronyms. Justin, could you or Chris maybe address
5 that from a location standpoint?

6 MR. KOON: Yeah. I can take it, and maybe Chris -- you
7 know, if I leave something out, he can speak into
8 it, as well. But we did receive a wetlands
9 delineation that the Town of Hilton Head had done
10 at this site to determine where wetlands and
11 surface waters are located at the site. So, you
12 know, this -- this 4-acre site was carved out of a
13 larger portion of a property that was owned by the
14 Town of Hilton Head. I -- I think that was like a
15 67-acre property. And the Town of Hilton Head,
16 again, provided the wetlands study that was done as
17 part of that -- that larger parcel.

18 MS. MOYE: Thank you, Justin. Kristy, I know that
19 you're continuing to look at those questions that
20 are coming in on the Q&A board. I did want to give
21 Juli Blalock an opportunity to maybe go back to the
22 issue of the -- the waste that will be stored on-
23 site and -- and how long it will be there and what
24 the requirements are under the proposed permit.
25 So, Juli, did you want to speak about that?

1 MS. BLALOCK: Yes, I do, Donna. Thank you. I know a
2 lot of the questions we've received prior to
3 tonight and -- and continue to hear tonight: There
4 does still seem to be some confusion about a
5 transfer station. So I just want to address, I
6 guess a little more depth, the history of transfer
7 stations and their entire intent.

8 So back in the early '90s when most of our
9 solid waste regulations were first promulgated, the
10 reason we have a transfer station regulation is
11 because at that time, I'm sure most of you remember
12 growing up, you know, you could -- you knew where
13 the town dump was or the county landfill or
14 whatever, but when new solid waste regulations came
15 out in the early '90s out of EPA, states then had
16 to look at other ways to also more effectively
17 manage the waste because now a lot of the unlined
18 landfills were closing and these bigger landfills
19 such as the Hickory Hill landfill where most of the
20 folks participating tonight -- where their
21 household garbage goes to -- you know, it became
22 more expensive to build those landfills, and a lot
23 of these other smaller facilities closed. And
24 instead of having, I guess, garbage trucks, the
25 small trucks like that pick up your garbage in the

1 neighborhood, run on the road all the time to the
2 regional landfill instead of a county landfill,
3 transfer stations came about. And the whole
4 purpose was so that those small garbage collection
5 trucks would then come to this facility, put the
6 material in the back of their truck onto the floor.
7 That would immediately be put in what we call a
8 "long-haul truck," like an 18-wheeler to then have
9 less trucks going on the road to the bigger
10 landfill.

11 Fast-forward to major development. Everybody
12 loves the coast of South Carolina. Most of you
13 folks are living where you're living because you
14 love the coast of South Carolina. Hilton Head,
15 just like Charleston, development has exploded over
16 the last few decades. As such, the same thing has
17 happened with construction and demolition debris
18 waste. There are only a couple of Class Two or
19 construction and demolition debris landfills in the
20 Jasper/Beaufort County area. As such, somebody
21 like ArborNature is applying for a transfer station
22 so that some of those smaller contractors that are
23 building in these neighborhoods and, you know, are
24 generating the construction and demolition debris
25 from all this development can come to this

1 facility, place it in a larger truck, and then from
2 there go to one of the Class Two landfills that's
3 off the island or in the Beaufort/Jasper vicinity.

4 As far as that 240 tons because I know, I -- I
5 would fear the same thing: None of us want another
6 Able. We don't. And we learned a lot of lessons
7 from that, and that's why we had amendments to our
8 Solid Waste Act in 2018 to prevent facilities like
9 that. But that 240 tons for this particular
10 application is solely based on, if trucks come in,
11 say at a rate of ten trucks -- ten small trucks an
12 hour, you don't want to halfway fill a long-haul
13 truck. You have to have enough trucks -- the
14 smaller trucks to fill that long-haul truck before
15 you can send it off to the landfill. So that 240
16 tons is based on that amount.

17 So the whole purposes is that they don't have
18 to halfway load a truck but to get it off the --
19 the site, they have the ability to store --
20 temporarily store that tonnage until they can fill
21 a truck. So every transfer station, they're --
22 they're storage limit is based on the anticipated
23 trucks and how many will fit into those long-haul
24 trucks in a certain amount of time. So I hope that
25 clarifies some of the confusion.

1 I also want to add that sometimes people get
2 convenience centers confused with a transfer
3 station, which is something different, as well.
4 Many of you may be familiar with the convenience
5 centers, which most counties have as a service to
6 residents where they have roll-off containers and
7 citizens within a county can go place their waste
8 there. A transfer station is not that either. You
9 may see, at transfer stations, where owners or
10 operators will pull out obvious recyclables such as
11 cardboard and sit them to the side because they
12 have a value and they can be paid money to recycle
13 that and prevent it from going to the landfill, so
14 a lot of times you do see cardboard moved, and
15 sometimes scrap metals. You know, everybody knows
16 that there -- metal has -- has a value. So I just
17 want to make sure I clarify exactly what the intent
18 from -- initially of the regulation and still the
19 intent to this day is of what a transfer station
20 design is about. So thank you, Donna, for letting
21 me clarify some of that.

22 MS. MOYE: Thank you so much, Juli. So, Kristy, as you
23 continue to monitor those questions on the Q&A
24 board, I would like for us to try and go back to
25 Mr. Pyle to see if he has been able to -- to fix

1 his audio or to -- or call in to speak.

2 MS. BOYCE: Mr. Pyle, if you are on the line, you can
3 use star-six if you've called in, or unmute by
4 clicking the blue microphone.

5 MR. PYLE: Yes. Sorry about whatever confusion there
6 was. I appreciate the opportunity to speak.
7 Couple questions: On the overlay site that was
8 provided in the presentation, the layout of the
9 site is different than the layout of the
10 application in, I believe, Appendix G. Can
11 somebody explain to me what that change was and
12 why?

13 MR. KOON: Yes.

14 MS. MOYE: Yes, sir, Mr. Pyle. Thank you for that
15 question. Justin --

16 MR. KOON: Yeah. So --

17 MS. MOYE: -- I don't know if you need to pull a map
18 back up to help answer that question, but I believe
19 that you can maybe provide some clarification on
20 that.

21 MR. KOON: Yes. So I'm taking back over as the
22 presenter and going back to the map that was -- so
23 we're speaking of this layout here if everybody's
24 looking at the presentation. So if -- if you're
25 looking at your screen, there's two tabs down at

1 the bottom. One may be listed as "Content Stage"
2 and one as "Q&A," but if you go back to the -- the
3 "Content Stage" tab, you'll -- you'll see the map
4 that's currently on the screen. And so I believe
5 in late July we received an updated site plan, so
6 that's the reason the site plan in the presentation
7 is slightly different than the site plan in the
8 application online. So --

9 MR. PYLE: In that -- in that -- on that same photo that
10 you have there, the dotted purple line encompasses
11 the blue storm runoff. You had mentioned in your
12 review that storm runoff is not considered as part
13 of the application. Can you explain why?

14 MR. KOON: Sure. So, again, let's see -- people are
15 looking at it; I'm going to take the marker or the
16 laser beam again. So the -- the purple dashed line
17 that I'm highlighting right now, again, that's the
18 -- the 200-foot buffer that's required to both
19 surface waters and to residences and hospitals, and
20 -- and then we have this dashed blue line that
21 comes through that, which is -- been determined to
22 be a drainage ditch.

23 And our -- our regulation specifically
24 excludes drainage ditches as surface waters. So
25 there -- there's an exclusion in the reg that

1 essentially deems drainage ditches and
2 sedimentation -- sedimentation basins as not being
3 surface waters that require the buffer.

4 MR. PYLE: I guess the question was: Why? I mean, that
5 ditch -- that ditch that you're pointing out in
6 that dotted dashed line runs straight into Fish
7 Haul Creek, which then feeds into the ocean. If
8 that's contaminated, you're going to contaminate a
9 large portion of marsh and ocean area.

10 MR. KOON: Jill Stewart, I don't know if you could weigh
11 into that or whether, you know, this may be just
12 our reg-specific -- you know, I'm not sure if
13 you've seen --

14 MS. STEWART: Sure. I would -- I would be glad. Am I
15 off of mute?

16 MR. KOON: Thank you.

17 MS. STEWART: And -- and I'm going to invite Shannon
18 Hicks because she's got the -- she's been the one,
19 from a technical standpoint. So, though the Solid
20 Waste Act and regulations may not include
21 requirements to manage stormwater, there are
22 requirements that stem from the South Carolina
23 Stormwater Management Regulations, and our staff is
24 -- is currently reviewing a modification to a
25 permit application and plan for this site. So

1 there are stormwater controls that will be
2 installed to manage runoff from -- from the
3 developed portions of the site.

4 MR. PYLE: And that was originally shown on the
5 construction drawings provided in the application.
6 How will that change, and will that be available
7 for review prior to the -- the time of permitting?

8 MR. KOON: Yes. We'll -- we'll get that updated map on
9 our website either tonight or in the morning. And
10 I -- you know, I -- I didn't put the ponds on this
11 because it -- it got a little bit too busy. I just
12 wanted to -- to mainly focus on the -- the buffers
13 and kind of the site layout for the -- the
14 presentation tonight, but those are still being
15 provided on the site.

16 MR. PYLE: And also on the site, I noticed the setback
17 of the inner dashed blue line does not include the
18 storage rectangle green areas that are established
19 for the debris storage area.

20 MR. KOON: Yeah. So the -- the green area is for -- and
21 I should've mentioned that as part of the
22 presentation. The -- the -- the green areas are
23 the -- the woodchip piles or the composting piles
24 that's associated with the composting application,
25 and that buffer is only 50 feet to a property line.

1 MR. PYLE: So on this site, they can -- they can stack
2 one, two, three, four, five, six, seven, eight
3 piles of mulch debris, plus 240 yards of
4 construction debris -- 240 tons of construction --
5 tons of debris?

6 MR. KOON: They can store up to that amount, yes, sir.
7 Or they --

8 MR. PYLE: I don't think I --

9 MR. KOON: -- would be able to.

10 MR. PYLE: Okay.

11 MS. MOYE: Thank you for that question, Mr. Pyle. I
12 want to make sure that we are following along with
13 everyone who did preregister to ask a question. So
14 maybe next we'll see if Joe Bogacz has his -- has a
15 question to ask, and then maybe after him we'll
16 move to Roger Briney. And, Kristy, maybe after
17 Mr. Briney, we can go back to some of the questions
18 that you're seeing on the Q&A board that may need
19 some -- that are asking for clarification.

20 MS. ELLENBERG: And, Donna, I will add: We've got a lot
21 of questions coming in and a lot of people who
22 signed up to ask questions tonight. We may not get
23 to every question tonight, but again, we're going
24 to continue this conversation after this meeting
25 and with another meeting next week.

1 So Mr. -- is it Bogacz? Joe Bogacz? It looks
2 like you're unmuted. Can you -- can you share your
3 question?

4 MS. YON: Kristy, his line has been unlocked. He will
5 need to then unmute himself.

6 MS. ELLENBERG: Thanks, Katherine. So Mr. Bogacz, if
7 you could unmute yourself, there's a microphone
8 icon at the bottom of your screen that you can
9 click on. Donna, maybe we can come back to -- oh,
10 Mr. Bogacz, is that -- is that you?

11 MS. MOYE: We can -- we can go ahead and -- and proceed
12 on to Mr. Briney. And, Mr. Bogacz, we'll be glad
13 to come back to you in just a few minutes. Roger
14 Briney.

15 MR. BRINEY: Hi. Thank you. I guess I had two
16 questions. One: On the -- the map that's up --
17 that's showing right now, I'd like to understand
18 where the construction demolition materials will be
19 stored, in what physical portion of the -- of the
20 property would that -- that be, if it was going to
21 be held there pending transport out? Will it be in
22 those green boxes? Will it be -- I'm just curious
23 where it's going to be on the property.

24 MR. KOON: Sure. So the C&D material is only allowed in
25 this larger purple box that I'm highlighting right

1 now.

2 MR. BRINEY: Okay. I can't see your highlighting, but I
3 -- I assume it's the larger of the two purple
4 boxes.

5 MR. KOON: Yes. The larger of the two purple boxes is
6 the only one that they're allowed to store C&D
7 debris in.

8 MR. BRINEY: Now, is there -- I'm curious: Is there
9 anything that keeps that material from moving out
10 of that area, in other words, walls or . . .

11 MR. KOON: I mean, the --

12 MR. BRINEY: In other words, if -- if there was a -- a
13 hurricane that came through and there was material
14 stored there, is there anything that keeps it from
15 having the -- the weather, essentially, drive it
16 out of that area?

17 MR. KOON: He does have like concrete bunkers like you
18 see on the side of the interstate stacked around
19 that area to keep that material in that area.

20 MR. BRINEY: So we're talking about a 3-foot-high
21 barrier?

22 MR. KOON: Approximately.

23 MR. BRINEY: And how high could 240 tons of material be
24 on that site? Like, what -- what's the likely
25 total height of that material?

1 MR. KOON: Sure. You know, I guess it depends on the --
2 the type of material, but we don't specify a height
3 restriction for the material. It's -- it's only a
4 tonnage limit. And so, you know, I think you're --
5 you're -- you're kind of pointing out a -- a fairly
6 important thing in that, you know, he's -- he's
7 constrained to that area. He can't have any more
8 than 240 tons of material on the site. It is a
9 fairly small operating area, and so it would
10 further limit how much he can have in that area.

11 MR. BRINEY: Is there -- is there no requirement that he
12 have, you know, say a much -- a wall high enough to
13 keep it from going out of that -- that area as
14 opposed to just using jersey barriers?

15 MR. KOON: There isn't. But -- but, again, the -- I
16 guess the regulatory requirement is that that
17 material remain in that area. And so, again, if --
18 you know, if Reahnita visits the site and sees
19 material outside of that area that's not loaded
20 into a trailer ready to go to a landfill or to a
21 recycling facility, then that would a -- a
22 compliance violation.

23 MR. BRINEY: Okay. And now they're -- we're talking
24 about quarterly reviews of that. And so I
25 understand that the site will have gates so that

1 citizens can't see back there to see whether or not
2 that material is within the site that's identified
3 and to check to see whether it's only in there the
4 period of time that's permitted; is that correct?
5 Because they're not going to have access to see
6 that.

7 MR. KOON: I mean, he will be required to have access
8 controls. You know, I would assume they would be
9 open during the -- during his normal operating
10 hours between eight and four. And -- and I don't
11 know what restrictions he's going to have in place
12 as far as who he's going to allow to bring material
13 to the -- to the site.

14 MR. BRINEY: So, realistically, for citizens to try to
15 monitor whether or not he's keeping that material,
16 is it -- is it up to 24 hours or is it up to a
17 week?

18 MS. MOYE: I did want to clarify for just a moment,
19 because I think this goes back, Mr. Briney, to
20 something that I mentioned earlier about, you know,
21 citizens being the eyes and ears of our -- of our
22 communities. And I -- I -- I in no way meant to
23 imply that we are relying on you to help us make
24 sure that this facility is doing what -- what it's
25 required to do. So I did want to clarify that,

1 that what I meant by that is that, if at any time
2 you see something that you think doesn't look right
3 and -- and along these lines of -- of what we're
4 talking about right now would be maybe the number
5 of truck -- you know, a huge increase in the number
6 of trucks coming in or coming out or -- or
7 something like that, that even though you can't see
8 the site, like you've just mentioned, we still want
9 you to know that you can call us. And when you do
10 that, we can go and put eyes on the site so that
11 it's not strictly on that quarterly basis that
12 Reahnita outlined earlier. So --

13 MR. BRINEY: No.

14 MS. MOYE: -- I hope that that clarifies, you know, that
15 comment that I made earlier. And, Justin, I don't
16 know if you have anything to add to that.

17 MR. KOON: No. I think that was good, Donna.

18 MR. BRINEY: No. I understand -- I understand that, you
19 know, you're -- you're not necessarily asking the
20 public to be the monitors of this in -- in between
21 the quarterly inspections, but I'm -- I'm just
22 trying to understand how -- what possible way
23 anybody could -- could evaluate whether or not
24 they're complying with how long it can be stored
25 there and how much of it can be stored and if you

1 can't get access to the -- the site because they
2 choose to -- to restrict it. That's -- I just
3 raise that question because I don't see how you can
4 ensure compliance. And, quite frankly, four times
5 a year is -- that's three months every time that --
6 that they could do all kinds of stuff that -- that
7 -- that is not permitted.

8 My only other question related to I believe
9 you indicated that there had to be adequate roads.
10 And I guess the question I have is whether or not
11 what they have here are adequate roads, given the
12 fact that, if a truck comes down there, I'm not
13 even sure an 18-wheeler truck can go around that
14 cul-de-sac that's shown on there. And there --
15 there are some bends in Summit Drive that are
16 pretty sharp bends for an 18-wheeler truck to
17 negotiate because there's trees in the middle of
18 the road. And I guess the question I have is: Are
19 the roads indeed adequate for this facility? And
20 if they are not, why shouldn't ArborNature be
21 forced to modify all the roads to make them
22 compliant?

23 MR. KOON: Sure. So, you know, we -- our regulation
24 only speaks to the roads on-site. So we don't have
25 any jurisdiction over, you know, the county roads

1 or the DOT roads leading back to the site. But we
2 can certainly get the consultant to demonstrate to
3 us that a -- an 18-wheeler or another vehicle can
4 safely maneuver around that site. I know there are
5 some CAD programs, I think it's called "AutoTURN"
6 that they can utilize to -- to show that a -- a
7 truck can get back there safely and unload and exit
8 the -- the site.

9 MR. BRINEY: And -- and -- and what -- what's the
10 tonnage that those trucks generally hold?

11 MR. KOON: I think the -- the long-haul trailers are --
12 are 20-yard trucks. And generally, you know, C&D
13 debris, the compaction rate varies based on whether
14 or not there's asphalt or concrete. But it could
15 be anywhere from about 500 tons a yard to about a
16 ton per yard. So really it's based on the -- the
17 size of the truck. You know, about a 20-yard
18 hauler and then -- and then the weight limits,
19 yeah.

20 MR. BRINEY: And the -- and -- and, again, what -- what
21 you're telling me is your regulations only address
22 that entry road into their facility and not all the
23 roads that they're going to be passing with these
24 very heavy trucks on roads that the county has to
25 maintain?

1 MR. KOON: Correct.

2 MR. BRINEY: And is there any alternative available to
3 residents to get the county to put in a requirement
4 for them to upgrade those roads or essentially fund
5 the -- the expenses of upgrading those roads so
6 that this facility can operate there? Because it
7 seems to me that it's kind of ludicrous that --
8 that the only thing your regulation addresses is
9 roads on the site itself and not the very critical
10 roads that get trucks in and out of that site.

11 MR. KOON: Sure. So, you know, we did e-mail the Town
12 of Hilton Head to see if there were, you know, any
13 agreements as far -- you know, some solid waste
14 management facilities work with their county or
15 town to come up with specific truck routes that the
16 vehicles can take. So we -- we did reach out to
17 Hilton Head to see if, you know, that was part of
18 the -- the zoning requirements. And they indicated
19 that there were no restrictions. They also
20 indicated to us that at least one of the roads --
21 I'm -- I'm trying to find the e-mail that spoke to
22 it. But one of the roads is up for improvements.

23 MS. MOYE: Thank you for that, Justin, and maybe we can
24 provide that information on the webpage. I know
25 we're -- we are after eight o'clock now, and we

1 want to be cognizant of the time for everyone and
2 the others who have already registered to speak.
3 So I know that we had mentioned that we would go to
4 Roger Briney next.

5 MR. BRINEY: Actually, that's me.

6 MS. MOYE: Oh. I'm so sorry.

7 MR. BRINEY: And I --

8 MS. MOYE: Please forgive me.

9 MR. BRINEY: I just had one last question. And that
10 related to the agreement with the fire department.
11 Is that in place? And have they shared that
12 agreement with the fire department for -- for
13 attending to any issues that may arise on this
14 facility?

15 MR. KOON: Yeah. I think the -- the application had a
16 letter from the fire department stating that they
17 would provide services to the facility.

18 MR. BRINEY: Okay. Was that in the application itself?
19 Since -- since -- since having adequate fire
20 agreements is -- is required, as I understand it,
21 by your regulation, it seems to me that that -- all
22 that documentation should be included in their
23 application.

24 MR. KOON: Yes. We will double-check that and make sure
25 that that's in there if it isn't.

1 MR. BRINEY: Okay. Thank you.

2 MR. KOON: Yep.

3 MS. MOYE: We'd like to move on down the list now with
4 those who have preregistered to speak, and I
5 believe that we are fortunate to have Senator Tom
6 Davis with us this evening. Senator Davis, are you
7 able to join us and -- and make your comments?

8 SENATOR DAVIS: I think so. Can y'all hear me?

9 MS. MOYE: Yes, we can. Thank you so much for being
10 with us tonight.

11 SENATOR DAVIS: Yeah. Absolutely. Thank you for the
12 very good presentation and giving my constituents
13 an opportunity to be heard. You -- you mentioned
14 earlier the differences between this particular
15 site and -- and Able Contracting. And -- and I
16 think it's important, you know, for y'all to have
17 that context. I mean, we're -- we're, you know,
18 still in the midst of recovering from that. We
19 had, as you said, 120,000 tons of -- of debris that
20 was removed, and, you know, that was allowed to
21 accumulate, quite frankly, despite the eyes and the
22 ears of the community constantly telling DHEC, you
23 know, that there was a problem there. And it
24 wasn't until, you know, it was so dense that it
25 spontaneously combusted and caught on fire until

1 anything was done. So -- so that's -- that's
2 important for y'all to have by way of context here.

3 And I -- and I'd also like to point out four
4 ways in which this site is similar to Able
5 Contracting. You've pointed out how it's
6 different, but here's how it's similar. One, there
7 is an absence, I think, of any requirement that
8 there be a liner to protect the groundwater from
9 leachate; is that correct? There's no liner
10 requirement here?

11 MR. KOON: Correct. There is no liner requirement for
12 transfer stations.

13 SENATOR DAVIS: Okay. So that's -- that's one way in
14 which this -- this site is similar to Able. And --
15 and, as you may know, we had contamination of the
16 groundwater at Able because of the lack of that
17 liner.

18 The -- the second similarity is the proximity
19 of this site to waterways and to -- and to
20 wetlands. It was commented earlier about how this
21 -- this site will drain into Fish Haul Creek and
22 then to the ocean. You know, similarly at Able, we
23 had proximity to the Okatee River and the New
24 River, and -- and it just seems to me not a really
25 good idea to put facilities like this proximate to

1 or near these very fragile ecosystems. It just --
2 and that is, I think, you know, one of the things
3 that you said was what you consider, right?

4 Whether or not the environment and whether or not
5 the surrounding environment was compatible with
6 this particular use; is that correct? That's one
7 of the factors that you do consider, right?

8 MR. KOON: We do consider whether or not it meets the
9 buffer requirements specified in the reg.

10 SENATOR DAVIS: Well, not -- not -- well, not only
11 buffer requirements, but -- but what about its
12 proximity to both waterways and nearby wetlands and
13 also the proximity of the groundwater to the
14 surface? I mean, are those not also factors that
15 you consider in determining whether a site is
16 suitable?

17 MR. KOON: Groundwater elevation is not considered as to
18 whether or not it's a suitable site. You know,
19 again, the -- the proximity to wetlands or surface
20 waters, we have a buffer requirement in our
21 regulation, and it would have to meet the buffer
22 requirement. And that's, in my mind, proximity to.

23 SENATOR DAVIS: So if you received -- if you received
24 some empirical evidence or some data that suggested
25 that the absence of any liner and, you know, with

1 having, you know, 240 tons of material and -- and
2 the possibility of having that, without a liner,
3 leachate into the groundwater, that's not something
4 that you would consider in determining suitability
5 of this for a site?

6 MR. KOON: I --

7 MS. BLALOCK: This is Juli Blalock, again, with DHEC. I
8 think the reason the regulations didn't take that
9 into consideration is because of the fact that the
10 waste is constantly moving out of there, that it --
11 it's not a permanent disposal facility. Because,
12 generally, leachate occurs when something has been
13 disposed of or sitting in one particular area for a
14 length of time and -- and the water ponds in it and
15 goes through it. In this instance, that material's
16 going to be constantly moving through the facility.
17 That's the reason, I guess, the regulations never
18 really addressed a depth to groundwater or
19 groundwater monitoring or concerns about leachate.

20 SENATOR DAVIS: So -- so it's your -- it's your judgment
21 or your opinion that -- that 240 tons of material
22 right on grade does not pose any problem to the
23 groundwater or any potential contamination of the
24 nearby waterways?

25 MS. BLALOCK: I guess it's not a judgment or an opinion

1 as much as it's just the requirements of the
2 regulation.

3 SENATOR DAVIS: Okay. So -- so those are two ways in
4 which I think that they're similar: one, the
5 absence of the liner; and, secondly, the proximity
6 of the watershed and waterways.

7 Another way -- another way in which it's
8 similar to Able -- and this was pointed out
9 earlier, I think, by Risa Prince -- the \$35,000
10 bond requirement is -- is really completely
11 inadequate, you know, given, you know, wanting to
12 locate this in an environmentally fragile area. Of
13 course, Able Contracting, I mean, we spent over \$7
14 million between federal and -- and state money, and
15 there's no bond requirement there. And I -- and I
16 would equate that -- you know, the \$35,000 bond
17 requirement here is -- is negligible, as well.

18 And -- and then the -- the last area that I
19 would -- I would point out is -- is in terms of the
20 lack of regular oversight. I mean, you talk about
21 the quarterly inspections. There is a great deal
22 of skepticism here in Beaufort County and in Jasper
23 County in the wake of what happening to Able
24 Contracting in regard to DHEC being an effective
25 watchdog in regard to these sites. And it -- it's

1 just the case that, if you do something like this
2 in -- in the Lowcountry with its proximity to
3 groundwater, with groundwater that feeds into --
4 into -- into waterways and wetlands, you've got to
5 have better criteria to assess these -- these site
6 determinations. And -- and maybe that's a
7 conversation we need to have for another day, but
8 you pointed out the ways in which this site was
9 different from Able Contracting. I've just given
10 you four or five areas in which it's very similar.
11 And it -- it just seems to me that locating -- even
12 though it's a transfer station, I mean, but -- but
13 locating a site for construction and demolition in
14 the Lowcountry, you know, given the ecosystem we
15 have here, is just not a good idea.

16 And -- and, you know, DHEC is our state agency
17 that is supposed to protect people and protect our
18 environment, you know, not to say, "You know,
19 that's not our regulation" or "It doesn't fit
20 within this definition" or whatever. I mean, you
21 are our safeguard. You are the ones we're turning
22 to; you're the ones that we're -- we're counting on
23 to keep our environment safe.

24 And -- and I just -- I make all those
25 observations. Y'all are doing a great job. I love

1 this conversation. I'll cut off my questions now -
2 - or observations because I'm also going to submit
3 something in writing in which I can be much more
4 detailed. But I did want to let you know the
5 reason you've got 200 people signed up, you know,
6 on a night that's the first night of NFL football
7 when they can be doing other things is because this
8 is of the utmost importance to them -- thing to
9 them because they know what can happen; they've
10 seen it happen. And -- and just hope you-all
11 really do appreciate that. I -- I appreciate the
12 chance to share.

13 MS. BLALOCK: Senator Davis, thank you so much for that.
14 And I just want to add to that: We hear your
15 concerns, and I would encourage that we have some
16 dialogue about all of this. We know the lessons we
17 learned from Able, and because of Able, we were
18 able to get support at the statehouse from other
19 members of the senate and house that helped us
20 change the act so that we wouldn't, hopefully, have
21 another Able. You know, we are always willing to
22 open up and look at our regulations, and you bring
23 up some valid points. If we do need to -- to look
24 into inspection frequency or, you know, impermeable
25 liners, we'd like to sit down and have that

1 dialogue with you because we know you have the
2 ability to help make those changes for us, as well.
3 So we encourage it. So please, please, let's get
4 together and talk about this.

5 SENATOR DAVIS: Fair enough. Thank you.

6 MS. BLALOCK: All right. Thank you.

7 MS. MOYE: Thank you, Senator Davis and -- and Juli, for
8 bringing up those important topics. We -- we
9 appreciate having the opportunity to -- to talk
10 about it with this large group tonight. So I did
11 want to make sure that we have a chance to go back
12 to Joe Bogacz? Is that correct?

13 MS. ELLENBERG: Donna, I understand Sean's been working
14 with Joe. I believe he's joined us by phone. So
15 he'll need to unmute with star-six. Mr. Bogacz,
16 are you available?

17 MR. BOGACZ: Yeah. Joe Bogacz here, and first I would
18 say that I am -- I am very humbled to follow
19 Senator Tom Davis with his comments. And I -- and
20 I know I won't be up to that level of quality.

21 But nonetheless, I did see, in reading your
22 regulations, two different buffer zone requirements
23 for Class Two landfills or C&D transfer sites, and
24 this ArborNature application is definitely a
25 Class Two. One is a 200 foot buffer to residences,

1 churches, and the like that you've indicated in
2 your -- in your opening slides. The other -- the
3 other buffer zone difference is on Page 42 of your
4 Regulation 61-107.19, and that goes to 1,000 feet.
5 So can you help me understand the difference
6 between these two? Is, in fact, the applicable
7 buffer zone 200 feet or should it be, really, 1,000
8 feet for this Class Two application? Thank you.

9 MR. KOON: Sure. Thank you for the -- the comment.

10 MS. MOYE: Are you pulling up the map again, Justin?

11 MS. ELLENBERG: I think we may have lost Justin.

12 Justin, can you get your audio working? You look
13 unmuted.

14 MS. BOYCE: I believe they may have lost their Internet
15 connection. They hopefully will be joining back --

16 MR. KOON: Okay. We're back.

17 MS. BOYCE: -- in soon.

18 MR. KOON: We're back.

19 MS. BLALOCK: We're back.

20 MR. KOON: Sorry about that. For some reason it -- it
21 disconnected us or we lost Internet connection. So
22 -- yeah.

23 So the buffer requirement that is required at
24 this facility. So this is a -- a Class Two or a
25 C&D transfer station. The -- the requirements of

1 this facility are found in 61-107.7. And the
2 buffer requirement to residences is 200 feet. The
3 1,000-foot buffer that you were mentioning is for a
4 disposal facility, so a Class Two landfill where,
5 you know, C&D debris is taken for permanent
6 disposal; that is required to be at least 1,000
7 feet from residences, churches, day cares,
8 hospitals, and parks.

9 MS. MOYE: Okay. Thank you, Justin.

10 MR. KOON: Sure.

11 MS. MOYE: So I do want to keep us moving through those
12 who preregistered to speak. Just wanted to remind
13 everyone who is -- who is typing in questions on
14 the Q&A board, if we don't get to those questions
15 tonight, we have documented them, and we will try
16 and make sure that we are able to address those
17 either via the webpage or at the meeting next week.
18 So moving on down the -- the list, I think we had
19 Heather Minnich. Ms. Minnich, are you with us?

20 MS. ELLENBERG: Ms. Minnich, I believe it's Lucier, if
21 you can unmute using your mic -- the microphone
22 icon that's in the bottom of your screen.

23 MS. BOYCE: Kristy, I do believe she may have been
24 writing some questions on the Q&A board. Is it
25 possible to maybe read off some of her questions

1 that she's posted?

2 MS. ELLENBERG: Yes, Lawra. I see one right here.

3 MS. BOYCE: Okay.

4 MS. ELLENBERG: One is, I think, referring back to your
5 map that you had earlier, Justin. Let me -- let me
6 make sure I get to the right spot, Lawra. One was
7 asking about if they get the purple bins completely
8 cleaned every single day. You're going to need to
9 clean those every single day or you will have
10 contamination. So really asking us to think
11 outside of the regulation here in being able to
12 protect the citizens of Hilton Head. So there were
13 some questions about, I guess, the -- the cleaning
14 of the -- the bins.

15 Lawra, did you see some others that were in
16 this chat? We have quite a few comments, I
17 believe. One was looking at the FEMA floodplain.

18 MS. BOYCE: Uh-huh.

19 MS. ELLENBERG: Noticing that usually are not in the --
20 or in the 100-year floodplain and (technical
21 interruption) was talking about whether the Town of
22 Hilton Head has adopted the new FEMA floodplain and
23 how does this impact DHEC. So there were maybe
24 some floodplain questions and how long the waste is
25 there.

1 MR. KOON: Yes. So we are aware that the facility is in
2 the floodplain. As I mentioned earlier in the
3 presentation, going back to the presentation, the
4 buffer requirements, it says, "Whenever possible,
5 transfer stations shall not be constructed in a
6 100-year floodplain." So the way we interpret that
7 is, you know, if -- if they had a larger site, so
8 let's say it was 40 acres or -- you know, and there
9 was the potential that they could locate it
10 elsewhere on that site so that it wouldn't be in
11 the floodplain, then we would require them to move
12 the facility outside of the floodplain. But for
13 this facility, the entire parcel is located within
14 the floodplain, and so, you know, really there's
15 nowhere that we can tell them to move it on-site to
16 get it out of the floodplain.

17 MS. ELLENBERG: Justin, a earlier comment from
18 Ms. Minnich was also about, I guess, kind of the
19 types of waste. And you had mentioned this in your
20 presentation about, you know, gypsum wallboard or
21 asbestos or lead-based paint being accepted and not
22 having a liner requirement.

23 MR. KOON: Sure. So I'll -- I'd like to take a moment
24 to kind of speak to the asbestos issue. So
25 asbestos can really be handled two different ways.

1 If a -- if the homeowner hires a contractor to come
2 work at their house, and -- they have to do an
3 asbestos abatement. And if they find asbestos,
4 then that material has to be bagged appropriately,
5 and it has to be taken straight to a landfill.
6 That material cannot go to this transfer station.
7 The only asbestos that would be allowed at the
8 facility would be if a homeowner was doing the work
9 themselves, they're not necessarily required to
10 follow the same requirements that a certified
11 contractor would have to. And so, you know, that
12 material could go to the transfer station.

13 But, you know, again it -- it really depends
14 on his operational -- how he plans to operate the
15 site, you know, whether or not he is going to allow
16 the public -- just anybody from the public to come
17 take material there or if he's only tailoring his
18 business towards the -- the certified contractors.
19 So a certified contractor could not take asbestos
20 to his site, as that has to be appropriately
21 managed and taking -- and -- and taken straight to
22 a disposal facility such as a Class Two or -- or a
23 Class Three landfill and managed appropriately.

24 MS. MOYE: Thank you for clarifying that -- that issue,
25 Justin.

1 MR. KOON: Sure.

2 MS. MOYE: Oh, I did just want to take a moment to say,
3 you know, that the issues that are being brought up
4 tonight are just really great feedback that we're
5 receiving from you, and we appreciate that, and we
6 encourage you to put those comments in writing to
7 us so they can be made as a formal part of the
8 record, or either plan to attend the public hearing
9 once we have that rescheduled because we are taking
10 comments, you know, on -- on the whole -- the whole
11 operation here, and -- and it's really important
12 that we have those from you, as well, to -- to be
13 able to follow up on. So if --

14 MS. ELLENBERG: Donna?

15 MS. MOYE: -- we move on past Ms. Minnich, I think we
16 had next Paul Meehan, and after Mr. Meehan, we
17 could go to Mr. I.S. Leevy Johnson. Mr. Meehan,
18 are you with us?

19 MS. BOYCE: Donna, Mr. Meehan has also posed some
20 questions in the Q&A board. If his mic is not
21 working or if he would prefer not to speak, we can
22 read off some of the questions that he's posted.

23 MS. MOYE: Maybe we could get started, Lawra, with
24 reading some of those questions from the Q&A board
25 and then, if he has anything to add after that, we

1 can come back --

2 MR. MEEHAN: Can you hear me now?

3 MS. MOYE: -- to the phone line?

4 MR. MEEHAN: There we go.

5 MS. BOYCE: Yes, sir. We hear you.

6 MR. MEEHAN: Hello?

7 MS. MOYE: Hello, Mr. Meehan.

8 MR. MEEHAN: Can you hear me now? Yes. Yeah. I was on
9 the computer, and I was not able to click on the
10 icon either.

11 MS. MOYE: Okay. Well, we're glad you're with us now.
12 Go ahead with your question.

13 MR. MEEHAN: Yeah. I posted a lot of questions that
14 you're seeing. Some of them are related to some of
15 the other comments from -- from Risa Prince. First
16 of all, remember, this was a wholesale nursery when
17 this whole discussion started, and then it's
18 become, you know, a land-clearing facility. And I
19 use the word "Facility" lightly because I don't
20 believe, even in this new operation, which it's now
21 going to be expanded to, which wasn't the original
22 part of the legal agreement, it's now being
23 expanded to Class Two C&D operation. So, you know,
24 that's the first point I'd like to make.

25 I think the thing that comes out is: How do

1 we, you know, arrive at these requirements and
2 standards? Is it based on past experiences where
3 you've made mistakes/had lessons learned? Who --
4 who -- who draws these up? Who develops them? Are
5 they reviewed, you know, on a periodic basis? Are
6 these requirements adequate given that we have a
7 very small margin of error on the maps that -- that
8 we looked at? And in the fact that we're not sure
9 whether this -- as Risa Prince had mentioned, is
10 that whether this person has experience in this
11 area or if they're planning on hiring people. So
12 if they're inexperienced in this and our margin of
13 error is very small, are your requirements
14 adequate? That's -- that's one question. And I
15 don't believe you've been able to answer that.

16 MS. MOYE: Thank you, Mr. Meehan. I think, Justin, that
17 that maybe goes directly to the -- the regulations
18 and what is required and -- and how those
19 regulations are developed and -- and how often, you
20 know, that we review those for modifications.

21 MR. KOON: Sure. I would say that, you know, this
22 regulation was developed, you know, in -- in 1993,
23 and, you know, I think we've identified it as one
24 that needs to be updated, but I -- we do feel that
25 it is adequately protective of the environment.

1 But we do recognize some -- some ways to improve
2 it, as well.

3 MR. MEEHAN: Okay. So we have a small margin of error,
4 and if we rewrite this and it doesn't fall within
5 the guidelines -- it perhaps does happen in the
6 future -- potentially, the operator will say, "I've
7 been grandfathered in," even though they're -- you
8 know, it was a very, very serious risk to, you
9 know, the island, to the environment, to the
10 wetlands, to the ocean. But at that point, the
11 camel's out of the tank. What are you going to do?
12 What does happen when it falls outside of --
13 potentially, which could be -- needs to be updated?

14 MS. BLALOCK: This is Juli Blalock with DHEC again.
15 Historically, when we've amended regulations, the
16 facilities are required to comply with the changes
17 -- usually the operational changes. The only areas
18 we've really ever grandfathered folks into was
19 buffer requirements because, obviously, once the
20 facility's there, you can't change what the buffer
21 requirements were. Now, if they decide to modify
22 their operations or expand that facility after
23 those regulations have changed, their
24 grandfathering no -- you know, if they want to make
25 their area -- or expand the size of their

1 operation, then they would have to meet the new
2 location requirements. But generally speaking,
3 when we amend regulations, the location criteria is
4 the only aspect that is grandfathered, if that
5 makes sense.

6 MR. MEEHAN: Yeah. It does. We don't have a lot of
7 confidence from prior behavior -- prior experience
8 with the operator. So that's a lot of our concerns
9 is that, you know, we were told before it was just
10 going to be the same operation moving to this site,
11 period. Now, we're here for a permit, I
12 understand. But I don't think we really have done
13 due diligence on this because you've already stated
14 that you're -- you know, we don't know whether they
15 have the ability to operate. Doesn't the
16 application -- I'd like to see -- you know, can we
17 see the application as it was filled out as part of
18 our -- of our documentation.

19 So most businesses, when they go into new type
20 of industry are required to show that they have
21 certain people on staff to be able to meet the
22 requirements, that they have maybe a biologist or
23 -- or somebody who is experienced in this. Does
24 the consultant they have that is answering many of
25 these questions for you guys, does that person have

1 experience in this area, or are we dealing with
2 people who are learning on the job at the expense
3 of the island and the residents of the island and
4 the people who are coming here at the airport?
5 This is a -- this is a high-risk operation for
6 everybody; it needs to be taken very seriously.
7 Why would we want to have this?

8 MR. KOON: So there are training classes that the Solid
9 Waste Association of North America puts on specific
10 to transfer stations that, you know, they can get
11 training through that course and -- and get a
12 certification.

13 MR. MEEHAN: And do -- is that a requirement for this --
14 for this permit?

15 MR. KOON: It's not.

16 MR. MEEHAN: Okay. So that's another -- you know, raise
17 it as another red flag. A lot of my questions are
18 out there. I don't want to take a lot of time; I
19 want to be able to give my time to others. I would
20 like to see this laid out. I mean, I was not aware
21 of the composting. If you could -- that was one of
22 my questions: Could this be laid out as
23 "Application Permit Number 1: Composting," when,
24 you know, it happened, what's the next steps. You
25 know, Section 2 is the -- is the waste transfer

1 station, what happened when, what the next steps
2 are. So we can clearly see it. I'm not a -- an
3 attorney. I just want to be able to have on a
4 piece of paper some documentation of what all this
5 means because it doesn't seem very transparent to
6 me at this point, and I think things such as -- you
7 know, yes the requirements -- from an environmental
8 standpoint, you know, requirement, checkmark,
9 checkmark, question mark; financial requirements,
10 as we've said, it's not adequate -- you know, most
11 small businesses need something even for -- even
12 for a business not that it has a lot of liability
13 potential, it's \$5 million, and it's fairly
14 inexpensive to get that.

15 Now, one final thing: the roads. You can get
16 all the CAD equipment, all the computer equipment.
17 For those who -- who drive that road, and there's a
18 facility over there that -- some people back at
19 Beach Pass and some other things. It's a lot of
20 people on that road. There's a tree in the middle
21 of the road at one point, as somebody mentioned.
22 Two cars going down, you kind of see their -- see
23 their faces pretty clearly. This -- the roads --
24 not just the one adjacent to the site, but, you
25 know, Dillon Road, Gateway, and Summit are very

1 narrow. And, you know, if this is something that
2 we have an accident, somebody's hurt or worse yet
3 and it comes back to "this decision was allowed to
4 happen," I don't want to be the guy who was on the
5 paper signing saying "I approve this." I would not
6 want that. And by the way, this is not a facility.
7 This is zoned light industrial. Not your deal; I
8 get that. Light industrial means it's a building
9 with light assembling, disassembling. Light
10 industrial. There is no facility. It's land
11 operating outside: smoke, noise, fumes, carcasses.
12 I get it: He's not supposed to have them.

13 All right. That's the end of my questions.

14 Thank you very much.

15 MS. ELLENBERG: Thank you, Mr. Meehan, and I think that
16 you had some -- some good information there of
17 thinking through what these processes are and the
18 different permits that are out there. Tonight is
19 one step in the process; it's a really important
20 one where we're able to have these conversations
21 and hear these questions and concerns. And we want
22 to be able to continue that -- that discussion.

23 I want to remind everyone that we really do
24 appreciate that we had such a large response to
25 tonight's meeting. We're appreciating all of the

1 questions that are coming in through the Q&A. I do
2 know we are after 8:30 tonight. We may try to make
3 sure we focus on those who preregistered who wanted
4 to ask a question tonight. And, again, there will
5 be different ways that you can continue to
6 participate in this process. So we do have over 58
7 questions in the Q&A. I think we've touched on
8 those by some that other speakers have brought up,
9 but if we don't get to those questions tonight,
10 we'll continue to do that -- that follow-up.

11 MR. KOON: Kristy?

12 MS. ELLENBERG: Uh-huh.

13 MR. KOON: Kristy? So I remembered there was another
14 question that Mr. Meehan asked that I wanted to
15 address, and I was going through the message board
16 to find. So the -- the other one is: Does the
17 consultant have experience in the -- a Class Two
18 C&D operation? So, you know, the -- the
19 application was required to be submitted by a
20 professional engineer that's certified in South
21 Carolina. So I did wanted to -- wanted to mention
22 that.

23 MS. ELLENBERG: Thanks for that clarification, Justin.

24 MR. KOON: Yep.

25 MS. ELLENBERG: I do -- I do think the tech team -- I

1 think we may be kind of ending the Q&A board just
2 so that we can try to make sure that we're able to
3 respond to these questions in the days after
4 tonight. But let's see, Donna, if we can go back
5 to Mr. I.S. Leevy Johnson and those who did
6 preregister to speak tonight.

7 MR. JOHNSON: Can you hear me?

8 MS. ELLENBERG: Yes, sir.

9 MS. MOYE: Yes, sir.

10 MR. JOHNSON: Earlier, in the presentation, Mr. Koon --
11 he outlined a number of things that you do not
12 consider. Could he go over those again?

13 MR. KOON: Yes, sir. So things that we do not consider
14 -- and, really, it -- it comes down to our
15 regulation. You know, we have to follow the
16 guidelines in our regulation, and it spells out
17 what we can consider.

18 The things that we cannot consider, which
19 should be on your computer screen now: traffic on
20 the roads, we can't -- we're not -- it's not part
21 of our regulatory authority; general opposition,
22 you know, that kind of goes to -- we have a lot of
23 e-mails saying, you know, to vote no, so that --
24 that's really not something that we can consider.

25 The other things listed were property values,

1 as well as requiring to look at alternative
2 locations or better locations. We can only really
3 consider the application that's before us and
4 evaluating it to make sure that it meets the -- the
5 requirements of the reg.

6 The other two items that are listed on that --
7 that slide are zoning and land use and -- and/or
8 incompatible use. Again, we -- we rely on the
9 county or municipality to provide that information
10 to us. It's not an independent review at this
11 time. You know, our -- again, our act was revised
12 in 2018 to exempt us from having to perform an
13 independent review of zoning and land-use
14 ordinances. So that's -- we rely on a letter from
15 the -- the -- the town, the county, the city
16 stating that it is consistent with their zoning.

17 MR. JOHNSON: Mr. Koon and the other staff members, does
18 it occur to you, as you listed those things, that
19 those are the items that are critical and important
20 to the residents? What you have, in -- in effect,
21 done with the regulations is excluded citizens
22 participation. Traffic is material and important
23 to the residents, and our opposition should carry
24 great weight to DHEC. If you don't consider the
25 general public's opposition, as a matter of fact,

1 let's call it what it is: We're wasting our time
2 tonight. Because the opposition is substantial.

3 Senator Davis has outlined very relevant
4 points, and all the other speakers. I mean, these
5 things are very important and they should have a
6 profound impact. But you're, in essence, telling
7 us what we -- our opposition doesn't mean anything
8 to DHEC.

9 And -- and alternate location: that should be
10 essential because, if the location has so many
11 speakers that have identified tonight, the location
12 that is being considered is -- is unsatisfactory.
13 And alternate locations being recommended by -- by
14 community leaders and -- and the citizens and the
15 residents, that should be relevant to -- to DHEC.

16 And obviously, zoning, that -- that's
17 something that -- that is controlled by local
18 government, and -- and land use. But these other
19 factors like traffic and general public opposition
20 and property values, you know, it -- it -- it
21 really is -- is -- is -- is not hitting the nail on
22 the head when you think that property values don't
23 mean anything to people who live in -- in that
24 community because property values is -- is -- is
25 inherently important to people who live on Hilton

1 Head Island.

2 So all of the things, Mr. -- Mr. Koon, that
3 you are saying that y'all should not consider are
4 the things that you should be considering. And I
5 just wanted to make that observation.

6 MR. KOON: Sure. And -- and thank you for that. And,
7 you know, the -- the way -- we can't directly
8 consider those items. They're not listed in our
9 reg. But the way they're addressed in our reg is
10 the buffer requirements, the siting requirements
11 that the -- that the site has to maintain. You
12 know, we rely heavily on that local zoning and land
13 use and the counties to appropriately allow these
14 facilities in specific areas, which, you know, all
15 that ties into property values and traffic on
16 roads. It -- but it's not something that we can
17 dive into, you know, in considering, you know, "Is
18 this road over-trafficked?" You know, that --
19 that's in the purview of either DOT or the county
20 to -- to make sure that the roads are -- are
21 adequate and -- yeah.

22 MR. JOHNSON: Well, I think the message that we're
23 trying to send to you: The regs need to be
24 changed.

25 MS. MOYE: Mr. Johnson, we -- we -- we hear you, and --

1 and I think that, you know, as DHEC staff sometime
2 -- you know, we hear those frustrations often all
3 across the state. And -- and, frankly, we share
4 some of those frustrations, and so you are
5 absolutely correct that, you know, the way to -- to
6 effectively address that long-term is through reg
7 -- reg development. So, you know, being -- being
8 able to participate tonight is really important and
9 -- and to hear these -- these questions.

10 And it's also really important to keep in mind
11 about staying engaged locally when -- when laws and
12 zoning is -- is determined, as well as on the state
13 level when we have regulations that are out for
14 public comment. You know, we really do appreciate
15 having input such as what you have expressed in
16 that process. So thank you.

17 I -- I do hear -- I hear your frustration and
18 I hear you concerns there, and I am sure that it is
19 shared by most everyone who's on the call tonight.
20 So it is not falling on deaf ears. But thank you.

21 MR. JOHNSON: Well -- well, thank you kindly.

22 MS. MOYE: So let's go ahead and continue on down the
23 list. I have a Michael and Nina -- I believe this
24 is "MEET-uhl-man" -- and then after that we have
25 John Lawson, and Larry Landry after Mr. Lawson.

1 So, Mr. and Mrs. Mitelman, are you on the
2 phone?

3 MS. ELLENBERG: Donna, I have not seen the Mitelmans in
4 the meeting tonight with the phone number that they
5 registered with.

6 MS. MOYE: Okay.

7 MR. KOON: There's a 3679 that is currently unmuted. I
8 -- I don't know if that's them or not.

9 MS. MOYE: Let's see. Well, while we look at that,
10 let's move on to -- to John Lawson, and we'll come
11 back to the Mitelmans if they are on the call
12 tonight. Mr. Lawson, are you with us?

13 MS. ELLENBERG: Donna, I did see Mr. Lawson in our
14 meeting earlier. We've -- we have lost some
15 participants as the time has gone on tonight.

16 MS. MOYE: Well, we appreciate those of you who have
17 stayed with us. We do want to continue on going
18 down the list and, again, reiterate that this is
19 not the only opportunity to engage with us about
20 this project. We're certainly looking forward to
21 having another meeting next -- next week and to
22 continuing conversations by phone and by e-mail, as
23 well.

24 So how about Mr. Larry Landry. Mr. Landry,
25 are you with us?

1 MS. ELLENBERG: Again, I don't see Mr. Landry right now,
2 so we may be having some additional follow up with
3 our staff after tonight. I -- it does appear that
4 Greg Lyons is in the meeting, Donna, and I believe
5 he's on our list, as well, of someone who
6 registered to speak.

7 MS. MOYE: That's correct. I was about to call on
8 Mr. Lyons. So, Mr. Lyons, are you with us?

9 MS. LYONS: Hi there. Good evening. It's actually
10 Monique Lyons, Greg's wife.

11 MS. MOYE: Okay.

12 MS. LYONS: Brilliant. Thank you guys so much for
13 taking the questions tonight. I just wanted to
14 echo some of the concerns and risks that my fellow
15 citizens and -- and Senator Davis, actually, have
16 put forward. I'm increasingly, on one hand,
17 concerned by the continued encouragement that we be
18 the police and the monitoring system, including for
19 what will be dumped at this facility or site. But
20 my question is really related to the health of all
21 of the community members.

22 I live in Port Royal, and my house backs up to
23 Fish Haul Creek. In addition to the water and
24 wetland contamination that would arise due to this,
25 there are numbers of published medical reports by

1 the NAH, the WHO, and even the CDC that directly
2 correlate compost and refuse dumping with pulmonary
3 infection and lung disease. These include
4 inflammation, pneumonia, COPD, asthma, and even
5 Legionnaires'. These conditions are life-
6 impacting, if not life-threatening.

7 And so our question would be -- particularly
8 if these were to catch on fire, they would be made
9 even worse and, as we know, bacteria -- they --
10 they -- in -- in a lack-of-oxygen state, which
11 would be in the piling materials, they actually
12 produce methane gas, which of course is highly
13 flammable and dangerous. All of this made worse by
14 the COVID-19 pandemic that we are daily dealing
15 with. I'm curious for the committee, what would be
16 done to maintain the air -- the air quality and to
17 prevent the spread of airborne bacteria and
18 therefore infection to all of the community members
19 that would live near this facility?

20 MR. KOON: I'm sorry, but our connection dropped again,
21 and so I missed the majority of your -- of your
22 comment.

23 MS. ELLENBERG: Justin --

24 MS. MOYE: I think Ms. Lyons' question, Justin, had to
25 do with, you know, how can we -- how will the --

1 the air quality be maintained so that it's not
2 causing health concerns for nearby residents. And
3 that is very quickly summarizing, Ms. Lyons. So
4 please feel free to -- to add anything to that.

5 MR. KOON: So, you know, C&D debris really isn't known
6 for contributing to air pollution, you know,
7 especially as quickly as this material is being
8 removed from the site. You know, the -- there is
9 no air -- or air permit that's required for this
10 facility.

11 MS. ELLENBERG: Justin, I believe there was also a
12 specific question about methane created at the
13 site.

14 MR. KOON: I know methane is generally a result of food
15 waste breaking down, not necessarily C&D waste.
16 The only -- let's see here -- gas that were
17 typically associated with C&D facilities is
18 hydrogen sulfide, which typically is around
19 wallboard that's disposed of, and it gets wet and
20 starts breaking down and can produce hydrogen
21 sulfide. But again, that -- that takes -- takes
22 time for that to occur. And so, again, at this
23 facility, they're having to move this material
24 constantly, and so it -- typically, it -- it -- it
25 should not be at -- on-site long enough for that to

1 occur.

2 MS. MOYE: Okay. Thank you for addressing that, Justin.

3 Ms. Lyons, if you had a follow-up question to that,
4 if you would allow us just to move on down to
5 someone else who has not had a -- a chance to ask a
6 question and, if we can, we will -- we will come
7 back to you if you had a follow-up for that -- for
8 that answer.

9 MS. ELLENBERG: Donna, I believe we have four or five
10 more who had preregistered, so we want to make sure
11 we -- we reach out to them.

12 MS. MOYE: All right. And I believe Councilman Glenn
13 Stanford. Is he with us?

14 COUNCILMAN STANFORD: Yes, ma'am. I'm here.

15 MS. MOYE: Hi, Councilman Stanford. Thank you so much
16 for remaining with us. Please go ahead with your
17 questions.

18 COUNCILMAN STANFORD: Thank you for the opportunity to
19 speak. I am a member of the Town Council of Hilton
20 Head Island, but I am appearing here as a private
21 citizen. I'm not representing the town in my
22 opposition to this application.

23 I am very concerned about the overall process
24 here and the overall objections, and those are
25 environmental concerns, very well-based

1 environmental concerns given the fact that this
2 transfer station is seeking permit in a known
3 wetland with drainage that goes directly to
4 residential properties. You can see on the map
5 where adjacent properties are subject to that
6 overall blue-line floodplain aspect. Those are
7 native islander homes, very valuable citizens to us
8 here on Hilton Head Island. And then it goes
9 farther and affects many other residences. This is
10 a terrible location for a waste transfer station
11 like this.

12 So my real question is: Given the message of
13 DHEC -- or the mission of DHEC to improve the
14 quality of life for all South Carolinians by
15 protecting and promoting the health and public --
16 of -- of the public and the environment, how in the
17 world can application like this fit within that
18 mission? I -- I understand that you folks that are
19 speaking to us tonight are staff. I don't think
20 you're the ones that are going to be making the
21 decision. So moving forward with my comment, you
22 -- you said you're going to have another
23 meeting/session next week. No decisions will be
24 made there, I assume. Then we would go to a DHEC
25 hearing.

1 I am assuming, and please correct me, that the
2 hearing would be before commissioners who are
3 making the decisions on behalf of DHEC and
4 hopefully taking into account the mission of DHEC
5 as stated. Thank you.

6 MR. KOON: Sure. So as we did mention earlier, the --
7 the public hearing is going to get postponed.
8 Definitely no decision would be made until after
9 the public hearing and after, you know, the -- the
10 comment period ends. So, as I mentioned earlier,
11 right now the comment period is scheduled to close
12 September the 25th, but we would extend that to at
13 least one week after the public hearing to provide
14 ample opportunity for people to, you know, listen
15 to the recording of this meeting, to listen to the
16 recording of next week's meeting, and to
17 participate in the public hearing. So the -- the
18 final decision would not be made until all comments
19 have been submitted, have been reviewed, and that
20 would be the process going forward.

21 COUNCILMAN STANFORD: Let me state my question maybe a
22 little more clearly: Are you, the staff, the
23 people that are going to be making the decision on
24 this, or will it be commissioners of the Department
25 of Health and Environmental Control?

1 MR. KOON: Sure. So it will be myself and Juli Blalock
2 making that decision.

3 MS. MOYE: But I would like to add to that, Councilman
4 Stanford, that in no way does that mean that any
5 other higher levels of management in DHEC and
6 certainly in environmental affairs are not paying
7 attention to this and are not tuned in with the
8 concerns that are coming in to us. They certainly
9 are being -- being kept informed and have input
10 into any decision that is -- is made. So I want
11 you to feel comfortable that your -- your concerns
12 and those that have been stated tonight and that
13 will continue to come in are being heard by those
14 upper level management staff of DHEC as well.

15 COUNCILMAN STANFORD: Well, this is a great concern of
16 mine that this is an administrative decision, and
17 respectfully, I think I have felt a lot of defense
18 of this application rather than an effort to try to
19 meet the concerns of the citizens here. And so I'm
20 very concerned about that. I respect the
21 professionalism of you, the staff members, but I'm
22 very concerned about this application process and
23 how it might be approved. And we'll -- we'll have
24 to do what we have to do. So thank you for the
25 opportunity to speak.

1 MS. MOYE: Thank you for -- for -- for those comments.
2 And, you know, I -- I -- I -- I think I hear that
3 -- that you appreciate the position that we are in,
4 in terms of being able to provide this information
5 to you because, you know, you as -- as well as
6 everyone else on the call -- you are stakeholders
7 as well as industry and -- and local government
8 officials and so on and so forth. So everybody's
9 input is very important to us, and apologize if you
10 feel that, you know, anything that we have said
11 tonight or our presentation was defensive in any
12 way. That is certainly not the way that it has
13 been intended. We just want to make sure that
14 we're being very clear about what we are able to do
15 and what we are not able to do and, you know, how
16 important the comments are, you know, in -- in
17 helping us to -- to do that. So thank you again
18 for your comments. We do appreciate you --
19 COUNCILMAN STANFORD: Well, you say -- say that the
20 comments of the public are important, but then
21 we've seen a couple of times here that public
22 concern is not an issue that is taken into account
23 in making a decision. So that -- it's -- it's
24 inconsistent what you're saying here, and that's
25 where my concern comes from, and I think that's

1 where the concern of a lot of the other citizens
2 here come from. It's not a matter of dotting the
3 I's and crossing the T's, rather it is a matter of
4 looking at the mission of DHEC to protect and
5 promote the interests and welfare of the citizens
6 of this state, including the Town of Hilton Head
7 Island. Thank you.

8 MS. MOYE: Thank you so much. We appreciate that.

9 I believe I see we have about five more
10 registered speakers. Not sure if Mr. or Mrs.
11 Mitelman are back with us or have joined us since
12 we first called on them?

13 MS. ELLENBERG: Donna, I don't see the Mitelmans at this
14 time.

15 MS. MOYE: Okay. We have Tony Poleo, and then after
16 that Dominic Spina. And I apologize if I am
17 butchering names.

18 MR. POLEO: This is Tony Poleo.

19 MS. MOYE: Thank you, Mr. Poleo. Please go ahead with
20 your question.

21 MR. POLEO: Well, in the interest of time, my basic
22 question when I first signed on was really about
23 what's going to prevent another Able. I think
24 you've addressed that to a number of people. I
25 would still say, despite best intentions, things

1 happen. And if Able happens on the island, it will
2 be ten times worse than Jasper County. So enough
3 said on that.

4 I used to work for a huge federal
5 organization, so I understand your side of this and
6 the rulemaking and policies, and I know you're
7 looking at the health and environmental piece of
8 this.

9 And I'm -- I'm hoping the councilman is still
10 on because, as a resident of Hilton Head, I'd say
11 the core issue here is the written and
12 interpretation of the land use ordinance, which has
13 always favored business, not the residents, and I
14 just experienced that in our locality on another
15 issue. ArborNature is the type operation that
16 ought to be removed from the island. It's an
17 industrial operation, and the council needs to
18 stand up to them. And all they have done is move
19 the problem from Leg O Mutton to the folks near the
20 airport. So with all due respect to the councilman
21 and his comment, I think a lot of these issues
22 people have brought up as supporting infrastructure
23 issues aren't DHEC's issues; they're the Town
24 Council of Hilton Head's issues. Over.

25 MS. MOYE: Were you finished, Mr. Poleo, or did you get

1 cut off?

2 MR. POLEO: No. I was in the military.

3 MS. MOYE: Okay.

4 MR. POLEO: Over. I'm done.

5 MS. MOYE: Okay. Thank you so much. We -- we really do
6 appreciate that comment, and I -- I will reiterate
7 for Councilman Stanford that he did state that he
8 was here as a -- as a concerned citizen just
9 wanting to make a comment tonight about our
10 process. So thank you both for your comments.

11 So next we have Dominic Spina?

12 MS. ELLENBERG: It might -- might be "DOM-in-ick SPY-
13 nick" -- or "SPY-nuh." And we have someone who's
14 joined as "Dom." And I'm wondering if that is --

15 MR. SPINA: Hi. This is Dominic Spina.

16 MS. MOYE: We had it all wrong, didn't we?

17 MS. ELLENBERG: Thank you. We tried really hard, yeah,
18 to get your name right. Sorry about that, Mr. --
19 Mr. "SPY-nuh."

20 MR. SPINA: "SPEE-nuh." No.

21 MS. ELLENBERG: "SPEE-nuh." Gotcha.

22 MR. SPINA: I -- I'd like to thank everybody. I know
23 it's a long night, and I'd like to thank Senator
24 Tom Davis for showing up, and I'd like to also
25 thank Glenn Stanford for showing up as one of the

1 people.

2 But I'm really wondering how DHEC, as an
3 organization, is looking out for our health and the
4 environment, and there is completely no standard
5 for measurement for ensuring that the health -- our
6 health and the environment isn't impacted by water
7 runoff, which I really think is going to be the
8 biggest problem. You know, we have plenty of rain,
9 and when you stack garbage, the barriers that they
10 put together are not meant to contain any of that.
11 And like you had mentioned, there's -- in this
12 instance that you don't require a non-permeable
13 barrier. And I think that a permeable -- a non-
14 permeable barrier and also sediment filtration so
15 that it can be checked and you know what's leaching
16 out of the zone that you're stopping, and you have
17 to stop it before it actually gets into the
18 surrounding ground and into the surrounding
19 groundwater. And I think it's really key to health
20 and environmental impact to ensure that we can not
21 only measure it but that we can contain it. Can we
22 address that in any way, shape, or form?

23 MR. KOON: Sure. I would love to -- either Jill Stewart
24 or Shannon Hicks to respond to -- to the
25 stormwater.

1 MS. HICKS: So this is Shannon Hicks. For the
2 stormwater for the state stormwater regulations,
3 there is a design requirement for designing for
4 post-construction stormwater runoff, and it's just
5 -- it's a -- it's a volume requirement where they
6 have to store and release the volume of stormwater
7 over 24 hours for a treatment mechanism. There is
8 nothing specific in terms of what constituents need
9 to be monitored or anything like that. It's a --
10 it's a treatment volume that is from what is called
11 the "first flush," and that is coming from the
12 mindset that the majority of pollutants are in the
13 first flush of stormwater runoff during a rain
14 event.

15 MR. SPINA: Right.

16 MS. HICKS: So on this site, they have an infiltration
17 basin that is proposed, which is being reviewed at
18 the local level at the Town of Hilton Head, to meet
19 design requirements for that piece.

20 MR. SPINA: But I guess -- here my big question is: The
21 regulations that are in place for what they have to
22 do don't include actually monitoring anything that
23 could negatively impact our health or the
24 environment, and why isn't that part of the
25 situation that these things are actually monitored?

1 MR. KOON: So again from the -- the waste -- the solid
2 waste transfer station part of it, the regulations
3 do not require groundwater monitoring. The only
4 facilities -- the only solid waste facilities that
5 require groundwater monitoring are disposal
6 facilities such as the Class Two and Class Three
7 landfills.

8 MR. SPINA: I -- I get it. And -- and I understand you
9 guys have to fall back on the regulations because
10 it's kind of the rules that you follow by the game.
11 So the question is: Is there another agency that
12 we should be talking to, to ensure our health and
13 safety?

14 MS. MOYE: Is -- is Juli still with us, Justin?

15 MS. BLALOCK: I'm with you now. This is Juli. And I'm
16 not even going to try to pronounce your last name.
17 Do you mind if I call you "Dom"? I -- I hope
18 that's okay.

19 MR. SPINA: Uh-huh. Yeah. You absolutely may.

20 MS. BLALOCK: Okay. Thank you very much. I know that,
21 because we are an agency that is a combined health
22 and environmental control agency, you know,
23 everybody assumes that when we come in -- and --
24 and we are: We are concerned with the health and
25 the environment. I want to back up to -- I guess

1 to the gentleman that may have spoken I think it
2 was right before you: So many of the concerns I've
3 heard tonight really are about, as Justin said,
4 something we can't take into consideration, which
5 is incompatibility. Up until 2018, as we talked
6 about, we would read zoning and land use ordinances
7 and make our own determinations about compatibility
8 in land uses for facilities such as this, and
9 believe it or not, there were a lot of times that
10 zoning would say they're -- the site would've been
11 compatible and we would've disagreed. And we even
12 ended up in court over some of these decisions.

13 And then, like I said, in 2018 that changed,
14 and we were told, "Zoning is no longer your call,
15 and the zoning entity or land-use planning entity
16 where a facility is located will make that
17 determination." And it seems like a lot of the
18 concerns we're hearing tonight really do stem from
19 what that gentleman before you spoke about: that
20 had land-use planning been, I guess, looked at more
21 thoroughly, we wouldn't be in this situation
22 tonight.

23 We cannot choose the location of a facility.
24 That really is up to the local zoning entity, and
25 based on the regulations we have, you know, they

1 are protective of the environment and the
2 surrounding health of everyone. I hear concerns.
3 I have asthma, so I understand the concerns about
4 air quality and, you know, water runoff. We all
5 want the best quality of life we can have, and as a
6 native South Carolina -- I -- you know, I love our
7 state and want that as well. But, again, the
8 regulations as we have right now have been
9 protective of the health and environment to this
10 point.

11 I know, you know, we've talked about the
12 comparisons and the similarities of Able, and I
13 think that's all very fresh in all of our minds.
14 And, as I said, you know, maybe it is time for us
15 to look at the transfer station regulations and
16 some of our other regulations as growth occurs and
17 as compatibility issues come up and see: Is -- are
18 there some changes that need to be made to address
19 this a little bit more? So we hear what you're
20 saying, and I don't want to say that we're limited
21 by regulations, but, I mean, we have a prescribed
22 job of --

23 MR. SPINA: Yep.

24 MS. BLALOCK: -- looking at those regulations and seeing
25 that the application meets those. And if they do,

1 you know, we are tasked with providing a permit to
2 that applicant if they meet all of those. So I
3 know it's not necessarily what everybody wants to
4 hear. It -- we -- we do not have an easy job.

5 MR. SPINA: Right.

6 MS. BLALOCK: So --

7 MR. SPINA: I'm kind of hearing, though, that you guys
8 might be a little frustrated with the updating of
9 regulations, maybe not quite so much as we are, but
10 you're definitely on the -- on that side of the --
11 of the floor that you -- you realize that maybe
12 these regulations really do need a revamp.

13 MS. BLALOCK: Well, I mean, we have never had this much
14 concern over a transfer station in my twenty-plus
15 years here at the agency. As Justin said, these
16 regulations were promulgated in 1993. That's a
17 long time ago. And --

18 MR. SPINA: Yeah.

19 MS. BLALOCK: -- as growth has occurred in the state, as
20 we've experienced other facilities like an Able or
21 as -- you know, development in Hilton Head is off
22 the charts, and so there is a lot of C&D waste
23 being generated on the island. So, yes, I mean,
24 like I said, I would really encourage us going
25 forward to having some dialogue and talking about

1 these concerns. I mean, you know, I -- I've heard
2 y'all talk about inspection frequency. You know,
3 maybe we need to look at that and inspect more
4 often.

5 Again, sometimes that -- that can be different
6 issues: resources. You know, obviously,
7 landfills, they get inspected more frequently than
8 transfer stations, but what I'm hearing from you
9 guys are very valid concerns. So let's keep the
10 dialogue going. Let -- let's look at maybe, yeah,
11 trying to open up regulations because it's concerns
12 like this and, you know, Councilman Stanford and
13 Senator Davis, you know, they're here listening too
14 because they're concerned in what's going on with
15 all of you on the island.

16 So hearing from all of you, we do -- I -- you
17 make a valid point. As Donna was saying, you know,
18 we have certain limits of what we can do within the
19 regulation, but we also hope by hearing your
20 concerns that the applicant will hear those
21 concerns as well and want to be a better neighbor
22 and want to be compliant with all of the
23 regulations. And believe it or not, there are a
24 lot of facilities that do want to be good
25 neighbors. I mean, so I'm just hoping that hearing

1 all of you tonight that that kind of situation will
2 come about where this applicant hears your concerns
3 and will try to do something to make sure you never
4 have to monitor him because he's over the 240-ton
5 limit. So your -- your concerns are not falling on
6 deaf ears. That's just what I -- I want to say.

7 MR. SPINA: Thanks so much for everybody's time and --
8 and energy. Thank you.

9 MS. BLALOCK: You're welcome.

10 MS. MOYE: Okay. Thank you, Mr. Spina. So I think we
11 are -- we are getting close to being -- having
12 called on everyone who preregistered to speak. We
13 do have Brandon Roos, R-o-o-s, who had
14 preregistered to speak.

15 MR. ROOS: Hello.

16 MS. MOYE: Hi, Mr. Roos. Please go ahead with your
17 question.

18 MR. ROOS: Hi. Thanks for sticking with us so long.
19 I'll keep it short. So I was reading the EPA
20 guidelines for this type of facility, and it stated
21 that this construction and demolition type of waste
22 puts the most dust and pollution into the air of
23 any of these types of wastes that can be received
24 at these stations, and as the Department of Health
25 and Environmental Control, I mean it's not -- I

1 guess you kind of answered that lady earlier saying
2 that that's not something you're looking at, but --
3 so -- so is nobody at any stage in this concerned
4 about that or -- or looking at that? And is that
5 aspect of this operation completely unregulated?

6 MS. BLALOCK: Brandon, this is Juli Blalock again. This
7 information that you are looking at from EPA, is it
8 just at a transfer station or at a
9 transfer/processing maybe recycling facility for
10 C&D? Because usually with a transfer station,
11 minimal handling occurs; there's dumping from the
12 truck. It's usually picked up by some other piece
13 of equipment, placed in a long-haul truck, tarped,
14 and sent out the door. But in the case of like a
15 C&D recycling facility or a processing facility,
16 usually there's some kind of separating going on,
17 potentially grinding. And, yes, in that kind of
18 scenario, dust is generated or -- yes, particulate
19 in the air. And so I'm wondering -- because I know
20 the EPA has -- has called attention to that with
21 regard to grinding of C&D waste and -- and
22 sorting/recycling type facilities.

23 MR. ROOS: I was looking at the EPA's manual on setting
24 up the -- the waste transfer station specifically.
25 It may be -- have been in reference to grinding and

1 maybe further processing than you're saying they're
2 going to be doing at -- at this station, but I will
3 find that and submit it in my written comments
4 anyway. Thank you guys for taking the time.

5 MS. BLALOCK: Thank you.

6 MR. KOON: Yeah. That would be great.

7 MS. BLALOCK: Yes.

8 MS. ELLENBERG: And, again, those written comments are
9 very important to -- to us in our process, as well.
10 So we want to encourage everybody to submit those
11 things in writing, and thank you for being here
12 tonight. Donna, I think we did have a number that
13 had unmuted earlier. The last four digits were
14 1970. I don't know if that was someone who wanted
15 to ask a question. But if you are from that number
16 ending in -- the phone number ending in 1970 and
17 would like to hit star-six, you can unmute
18 yourself, and we'd love to hear from you.

19 MR. LAXTON: Hello.

20 MS. MOYE: So again, the caller with the --

21 MS. ELLENBERG: I think --

22 MS. MOYE: -- last four digits of the extension 1970, if
23 you are still with us.

24 MS. ELLENBERG: Yeah. It looks like they just unmuted.

25 MR. LAXTON: I am. Yes. Can you hear me?

1 MS. MOYE: Yes. We can. Thank you. Please go ahead.

2 MR. LAXTON: Sure. My name is Lawrence Laxton. Thank
3 you very much. I -- I really appreciate your
4 presentation and all the comments of all of our
5 concerned citizens. This project has an enormous
6 amount of opposition, and the ArborNature previous
7 agreement with the town to close their facility on
8 Leg O Mutton, which was just so against Hilton Head
9 ambiance and what it did to the neighbors and
10 created so much opposition, and this site turned
11 out to be a supposed compromise to prevent a
12 lawsuit with the town. But at the time, there was
13 no mention of anything such as this facility being
14 added to. What they were going to do, they were
15 going to transfer their -- their simple grinding
16 operation over here.

17 But now it's morphed into this gigantic
18 facility, and I went to their existing facility on
19 Leg O Mutton Road earlier this week. It's grown
20 way out of proportion to what it was at the time
21 the town was faced with the opposition from the
22 neighbors to it and came up with this site.

23 But I understand that you're bound by this
24 narrow set of regulations and you can't take into
25 account the roads and the residents' opposition,

1 but I think that a simple question when you make
2 your decision on this: Would you look at those
3 apartments right behind this facility and ask
4 yourself would you like to live in those apartments
5 after this and the grinding operation is moved
6 over? And I -- I know your answer will almost
7 surely be you wouldn't.

8 Now, if you're bound to approve this, I would
9 implore you to consider very strongly putting some
10 limits on it so that they can't come back and
11 enlarge it, put another type of operation here in
12 addition to this and, in other words, limit it to
13 what we're going to get stuck with if this goes
14 through. But those are my comments, and I very
15 much appreciate everyone's comments, and I
16 appreciate your listening to me. Thank you very
17 much.

18 MS. MOYE: Thank you, Mr. Laxton. We -- we appreciate
19 those comments and certainly appreciate you and the
20 others staying with us this late. We're coming up
21 on 9:30, and I believe that we have gotten through
22 the list of everyone who preregistered to make a
23 comment.

24 I would like to remind you that there were
25 many questions that we didn't get to tonight and a

1 few that we maybe didn't have an answer to, and we
2 want to be able to -- to follow up on those and to
3 talk more about those issues maybe on Thursday. So
4 I would encourage you to stay connected, to make
5 sure that you're aware of the details of the
6 meeting next week and, of course, of the public
7 hearing that -- that's going to be held at a date
8 yet to be determined.

9 So before I -- I have my closing comments, I
10 would like to mention that we are very fortunate --
11 someone had mentioned earlier about who at DHEC was
12 listening and -- and making the decisions. We are
13 very fortunate tonight to have our Director of
14 Environmental Affairs, Ms. Myra Reece, who has been
15 on this call and has heard the -- the comments and
16 concerns and Ms. Myra would like to make a few
17 comments now, I believe.

18 MS. REECE: Okay. Thank you, Donna. And good evening
19 everyone. And, first, let me say that this has
20 been a fantastic conversation, and I want to thank
21 all of you for taking time from your -- your busy
22 schedules. It's obviously a signal to me and my
23 staff how important this decision is to you and
24 your community, and one of the most important
25 things that we're doing tonight is listening to

1 you. And I have written probably about six or
2 seven pages of notes, which we're going to continue
3 this dialogue. But I will tell you that every word
4 that has been spoken tonight will be considered,
5 and not only for the decision that we have to make
6 for this specific permit, but also highlighting
7 some areas that we need to be thinking about as far
8 as making improvements in our regulations.

9 We have a requirement that we review our regs
10 every five years, but that's not often enough for
11 us. We go beyond that, and I encourage my staff to
12 take advantage of every situation, every decision
13 we make on a daily basis to look for those
14 opportunities to listen, to try to look for those
15 gaps and those improvements we can make to truly
16 address the concerns that our communities have
17 because we recognize the huge responsibility that
18 we have, and we recognize the -- the importance and
19 the seriousness of the decisions that we make and
20 how that can impact your community. And we are
21 going to make better decisions if we have you
22 engaged.

23 And I've just been very, very impressed with
24 the level of detail. It's obvious that y'all are
25 providing information to use that's going to, at

1 the end of the day, help us make a better decision
2 about this project. I will go ahead and tell you,
3 obviously -- and you make a very good point . . .

4 (End of recording.)

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) TRANSCRIPTION CERTIFICATE
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I, Audrey S. Beebe, a notary public for the State of South Carolina, do hereby certify that I transcribed preceding pages from a recording, and that I was not present at the time the recording was made.

I further certify that I am not a relative nor an employee of any of the parties hereto, nor of any attorney or counsel employed by the parties hereto, nor interested in the outcome of this action.

In witness thereof, I have hereunto affixed my signature.


_____ Audrey S. Beebe

Date: 11/6/2020

Notary Public of South Carolina
My commission expires September 27, 2026.