



South Carolina Department of Health and Environmental Control

Philip Services Corporation Site

AKA ThermalKEM

Community Meeting




Carol L. Crooks, Project Manager

Site Location

Site Location

Write a description for your map.

Legend

-  Koppers
-  Nazareth Baptist Church
-  Rock Hill



Why Are We Here?

- DHEC is holding this meeting to accept comments on the proposed settlement agreement before the agreement is presented to a federal court for approval.
- A public comment period is a statutory requirement under Superfund.
- The deadline for public comments is May 6th, 2022. This deadline for comment has been extended from February 28, 2022 due to community interest.
- Comments can be provided at this meeting and will be in the formal record of comments on the Settlement. A court reporter is present and will create a transcript of the meeting.
- Additionally, comments can be sent by email or to DHEC's mailing address. (This information will be on the last presentation slide).

Potentially Responsible Parties (PRPs) Group Break Down

PRPs were not the operators of PSC/ThermalKem

Work Parties

- 66 Parties
- Paying the bulk of the cost
- Will be responsible for additional funds if cost go over the estimated amount (\$24 million)

Cash-out Parties

- 1572 Parties
- Smaller volume waste contributors
- No further liability

Reopener Parties

- 5 Parties
- Paying a share toward cost based on volume contributed
- Must pay more if cost >\$40 million

Federal Government

- Federal Agency PRPs

Proposed Settlement and Consent Decree (Settlement Agreement)

Document negotiated between DHEC and numerous potentially responsible parties (PRPs) includes a Statement of Work that provides the procedure and requirements for conducting the clean-up.

Funding	Conditions
\$4.4 Million	<ul style="list-style-type: none">• Reimbursement of DHEC's past costs and certain future response costs• Not taxpayer funded. Money used from PSC Bankruptcy Trust and the South Carolina Hazardous Waste Contingency Fund.
\$24 Million	<ul style="list-style-type: none">• Initial financial assurance by PRPs for cleanup activities• Additional funding beyond \$24 million if estimated clean-up exceeds this amount.
Additional Funding	<ul style="list-style-type: none">• As needed if cleanup exceeds the \$24 million amount

Settlement Agreement-Continued

Formalization of this document will allow the cleanup actions documented in the 2016 Record of Decision (ROD) to be completed.

The remedies to be implemented include:

1. In Situ (in place) Thermal Treatment
2. Limited excavation and offsite disposal of soil with metals contamination
3. Multi-phase extraction in hydrocarbons area
4. Monitored Natural Attenuation (MNA)
5. Institutional Controls

Next Steps

- Comment Period ends on May 6, 2022 (this Friday).
- The Proposed Settlement will be filed with a federal court.
- Upon court approval of the Settlement and Consent Decree, Work Parties will begin implementation of the selected remedies.
- DHEC will be involved in reviewing and approving technical documents and overseeing field activities.

What to Expect from the Remedial Design and Remedial Action Activities

- The first phase of activities will be the development of a Remedial Design for the clean up
 - This phase will include all necessary development of plans, specifications, and schedules for the remediation
 - Additional sampling will be conducted to refine treatment areas.
- The second phase of activities will be the Remedial Action when implementation of the remedies will occur



Opportunities to Comment

- **Comments can be accepted now for entry in the meeting transcript.**

- **Comments can be sent by email:**

To Gary Stewart at: stewarrg@dhec.sc.gov

- **Comments can be sent by mail:**

Gary Stewart

SCDHEC-L&WM

2600 Bull Street

Columbia, SC 29201

The deadline for comments is May 6th, 2022.