South Carolina Department of Health and Environmental Control

Philip Services Corporation Site
AKA ThermalKEM

Community Meeting
Carol L. Crooks, Project Manager
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.

<table>
<thead>
<tr>
<th>Work Parties</th>
<th>Cash-out Parties</th>
<th>Reopener Parties</th>
<th>Federal Government</th>
</tr>
</thead>
<tbody>
<tr>
<td>• 66 Parties</td>
<td>• 1572 Parties</td>
<td>• 5 Parties</td>
<td>• Federal Agency PRPs</td>
</tr>
<tr>
<td>• Paying the bulk of the cost</td>
<td>• Smaller volume waste contributors</td>
<td>• Paying a share toward cost based on volume contributed</td>
<td></td>
</tr>
<tr>
<td>• Will be responsible for additional funds if cost go over the estimated amount ($24 million)</td>
<td>• No further liability</td>
<td>• Must pay more if cost &gt;$40 million</td>
<td></td>
</tr>
</tbody>
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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.

<table>
<thead>
<tr>
<th>Funding</th>
<th>Conditions</th>
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<tbody>
<tr>
<td><strong>$4.4 Million</strong></td>
<td>• Reimbursement of DHEC's past costs and certain future response costs</td>
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<tr>
<td></td>
<td>• <strong>Not taxpayer funded.</strong> Money used from PSC Bankruptcy Trust and the South Carolina Hazardous Waste Contingency Fund.</td>
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<td><strong>$24 Million</strong></td>
<td>• Initial financial assurance by PRPs for cleanup activities</td>
</tr>
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<td></td>
<td>• Additional funding beyond $24 million if estimated clean-up exceeds this amount.</td>
</tr>
<tr>
<td><strong>Additional Funding</strong></td>
<td>• As needed if cleanup exceeds the $24 million amount</td>
</tr>
</tbody>
</table>
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.