

RICHLAND COUNTY
DEVELOPMENT & SERVICES
COMMITTEE AGENDA



Tuesday, OCTOBER 22, 2019

5:00 PM

COUNCIL CHAMBERS

The Honorable Gwen Kennedy, Chair

County Council District 7

The Honorable Allison Terracio

County Council District 5

The Honorable Jim Manning

County Council District 8

The Honorable Chip Jackson The

County Council District 9

Honorable Chakisse Newton

County Council District 11

RICHLAND COUNTY COUNCIL 2019



Bill Malinowski
District 1
2018-2022



Joyce Dickerson
District 2
2016-2020



Yvonne McBride
District 3
2016-2020



Paul Livingston
District 4
2018-2022



Allison Terracio
District 5
2018-2022



Joe Walker, III
District 6
2018-2022



Gwendolyn Kennedy
District 7
2016-2020



Jim Manning
District 8
2016-2020



Calvin "Chip" Jackson
District 9
2016-2020



Dalhi Myers
District 10
2016-2020



Chakisse Newton
District 11
2018-2022





Richland County Development & Services Committee

October 22, 2019 - 5:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29201

1. **CALL TO ORDER** The Honorable Gwen Kennedy

2. **APPROVAL OF MINUTES** The Honorable Gwen Kennedy
 - a. Regular Session: September 24, 2019 [PAGES 6-9]

3. **ADOPTION OF AGENDA** The Honorable Gwen Kennedy

4. **ITEMS PENDING ANALYSIS: NO ACTION REQUIRED** The Honorable Gwen Kennedy
 - a. I move that Richland County undertake a study regarding the existence/prevalence of PFAS in groundwater and soil throughout the County. If desired, the County should coordinate with all municipalities within its boundaries to derive a comprehensive study on these harmful chemicals, and if necessary or warranted, a plan for corporate remediation[Myers] [PAGES 10-12]

5. **ADJOURNMENT**



Special Accommodations and Interpreter Services Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.



Richland County Council

DEVELOPMENT AND SERVICES COMMITTEE

September 24, 2019 – 5:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29204

COMMITTEE MEMBERS PRESENT: Gwen Kennedy, Chair, Calvin Jackson and Chakisse Newton

OTHER COUNCIL MEMBERS PRESENT: Bill Malinowski, Joyce Dickerson and Yvonne McBride

OTHERS PRESENT: Michelle Onley, Larry Smith, Stacey Hamm, Clayton Voignier, John Thompson, Ashiya Myers, Ashley Powell, Jennifer Wladischkin, Dale Welch, Leonardo Brown, Synithia Williams, Chris Eversmann, Janet Claggett, Quinton Epps, Dwight Hanna, and Tariq Hussian

1. **CALL TO ORDER** – Ms. Kennedy called the meeting to order at approximately 5:00 PM.
2. **APPROVAL OF MINUTES**
 - a. July 23, 2019 – Mr. Jackson moved, seconded by Ms. Newton, to approve the minutes as distributed.

In Favor: Jackson, Newton and Kennedy

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Ms. Newton moved, seconded by Mr. Jackson, to adopt the agenda as published.

In Favor: Jackson, Newton and Kennedy

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

- a. Little Jackson Creek/Spring Valley HOA request to remove sediment – Ms. Williams stated Stormwater received a request from the Spring Valley HOA to remove the sediment from their entrance lake. In 2014, it was originally proposed as part of a 3-phase project in the Spring Valley neighborhood. At the time, there were plans to extend the runway at the Hamilton-Owens Airport, and mitigation credits were needed. Because the County had a conservation easement in the Spring Valley neighborhood, the neighborhood was chosen to do the mitigation project. The mitigation project, to reestablish the wetlands in the area, was one part of it. The other parts were to improve the up ditch, which run parallel to Two Notch Road. The up ditch goes into the entrance lake. Also, to remove sediment from the entrance lake. In December 2014, Council approved a work authorization to do the design for plans for the mitigation project, repair/stabilize the up ditch, and plans to remove the sediment from the entrance lake. They worked with the consultant to get the plans put together, but we had the October 2015

flood, which delayed many projects. After that, the engineering estimate, to do the up ditch and the entrance lake, came back at over \$1.2M, which was not in Stormwater's budget. At that time, FEMA funding was sought out, through the Hazard Mitigation Grant Program, to stabilize the up ditch and reduce the sedimentation coming into the entrance lake. Based on an AG opinion, unless there is proven public benefit, you should not use public funds on private property. Since Spring Valley is a privately maintained subdivision, staff sought recommendation on whether or not to proceed with removal of the sediment. At that time, they had the private pond maintenance, which stated they would remove sediment from the banks of the entrance lake with County equipment. The proposal was presented to the HOA. The HOA was not thrilled with the option; therefore, staff completed the design plans, and made them available. In August 2018, an email was sent to the HOA, letting them know that we were going to proceed with the grant funding for the up ditch, but we would not be removing the sediment from the entrance lake because it was not in the budget and did not comply with the AG opinion. Staff did not hear back from the HOA until earlier this year, when they again requested the County to remove the sediment from the entrance lake. The request is being brought forward to Council on how to proceed. Ms. Williams pointed out, since the October 2015 flood; Public Works has gotten other requests to remove sediments from other lakes. The Cary Lake HOA was told Public Works would not remove the sediment from their lake. Richland County Council did approve some funding to go to City of Columbia and the Lake Katherine sediment removal project. Public Works removed sediment from the outfalls on the Upper Rockyford Lake.

Mr. Jackson stated, if the AG's opinion regarding the use of Federal funds was discouraged, because it was on private property, do we see it any differently with County funds to be used for the same project.

Ms. Williams stated the AG's opinion was related to County funds, and that is why we removed the entrance lake. It was taken off of the capital projects list and is currently not budgeted in the Stormwater budget. The up ditch is being pursued using the Hazard Mitigation funding.

Mr. Smith stated, when the flood hit, the question came up to whether or not you could deviate, or there was an exception, in an emergency situation. The Attorney General indicated there would not be an exception to the basic rule that you cannot use public dollars on private property.

Mr. Jackson inquired if there is any discharge that is occurring, from any other area, that may be impacting it that would help justify our expense.

Ms. Williams stated the discharge into the up ditch comes off Two Notch Road, which is a SCDOT maintained road. Across from that is commercial property, and not County property. The roads within the subdivision are also privately maintained roads.

Mr. Jackson stated, it is his understanding Public Works has denied a similar request.

Ms. Williams stated Public Works did deny a request to Cary Lake. The request from Lake Katherine did not come directly to Public Works, but was directed to Administration. Public Works followed the Outfall Silt Removal Policy on the Upper Rockyford Lake.

Mr. Jackson inquired if staff has a recommendation regarding the request.

Ms. Williams stated they sent an email back to the HOA last summer letting them know, based on these reasons, we would not be doing the entrance lake. In addition, there are no budgeted funds and would require a budget amendment. The current estimate, from the Engineer, to do the project is \$399,000.

Ms. Kennedy stated the State and the City of Columbia have a part of Lake Katherine.

Ms. Williams stated Lake Katherine is located completely within the City limits. The City requested the County to assist them with removing the sediment from the lake.

Ms. Kennedy stated she is concerned about the County putting money into roads and lakes that do not belong to them.

Ms. Williams stated, if the request comes to Public Works, she takes note of it. Lake Katherine is the only one she is aware of that is outside of the County limits.

Mr. Smith stated there is another component to this. Since the time that this occurred, when it was communicated back to the citizens the County would not be in a position to go forward, we have received several letters from the attorney that represents the association. He requested to brief the committee in Executive Session on some legal implications, related to this particular issue.

Ms. Newton stated, for clarification, we proposed three projects to receive mitigation credits, and we have done two.

Ms. Williams stated restoring the wetlands within the neighborhood was done to receive the mitigation credits. The other 2 projects were to protect the wetlands by restoring the up ditch and the request from the HOA for the entrance lake.

Ms. Newton inquired, from staff's perspective, if we have fulfilled our obligations that we committed to in exchange for the mitigation credit.

Ms. Williams stated, in the original request, it was to do the work authorization to do the design for all 3 projects. We have completed the design. The projects were dropped, based on budgeting.

Ms. Newton inquired if we did our part.

Ms. Williams stated she was not in the original discussions. The only agreement she has seen is the agreement to allow the County to go in to do the 3 projects. The up ditch is designed and we have received FEMA funding. We have not started construction on this project.

Mr. Malinowski inquired if the Lake Katherine project had some legal matters associated with it.

Ms. Williams stated she is not as familiar with that one, but she does think it was part of the request from the City.

Ms. Newton stated she requested the minutes related to Lake Katherine and it did appear to be a little different. The County was responsible for 8%, the City paid a part and the State paid a part.

Mr. Jackson moved, seconded by Ms. Newton, to go into Executive Session.

***The committee went into Executive Session at approximately 5:18 PM
and came out at approximately 5:38 PM.***

Mr. Jackson moved, seconded by Ms. Newton, to defer this item to the October committee meeting.

In Favor: Jackson, Newton and Kennedy

**Development and Services
September 24, 2019**

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The vote in favor was unanimous.

5. **ITEMS PENDING ANALYSIS: NO ACTION REQUIRED**

- a. I move that Richland County undertake a study regarding the existence/prevalence of PFAS in groundwater and soil throughout the County. If desired, the County should coordinate with all municipalities within its boundaries to derive a comprehensive study on these harmful chemicals, and if necessary or warranted, a plan for corporate remediation [MYERS] - No action was taken.

6. **ADJOURNMENT** - The meeting adjourned at approximately

**RICHLAND COUNTY GOVERNMENT
UTILITIES DEPARTMENT**

7525 Broad River Road, Irmo, SC 29063
T 803-401-0050 | F 803-401-0030
rcu_services@richlandcountysc.gov | richlandcountysc.gov



October 9, 2019

Dr. Thompson,

We have been exploring the causes of polyfluoroalkyl substances (PFAS) in groundwater and soil, requested by the Development & Services committee on September 24, 2019. There is a lot of research underway to determine the cause and effect of this manmade chemical. The Environmental Protection Agency (EPA) and South Carolina Department of Health Department of Health and Environmental Control (SCDHEC) are working on PFAS Exposure, Occurrence and testing methods to monitor these chemicals. Here are some details to understand PFAS.

- **What are PFAS?**

PFAS stands for a broad group of perfluoroalkyl and polyfluoroalkyl substances. The group contains several categories and classes of durable chemicals and materials with properties that include oil, water, temperature, chemical and fire resistance, as well as electrical insulating properties. Such characteristics are critical for use in important product applications across many industries ^[1]. These substances (PFAS) are man-made chemicals that include PFOA, PFOS, GenX, and many other chemicals. PFAS have been manufactured and used in a variety of industries around the globe, including in the United States since the 1940s ^[2]. 3M is one of several companies that produce some of these materials.

Commonly, they are used in the manufacturing of a variety of products. Beyond well-known applications like carpet protectant and non-stick cookware, PFAS are used in important products such as surgical gowns and drapes, where these materials help prevent infections. They are also critical to the manufacturing of electronic devices such as cell phones and semiconductors. Commercial aircraft and low-emissions vehicles also rely on PFAS technology.

- **Why are PFAS important?**

PFAS are found in a wide range of consumer products that people use daily such as cookware, pizza boxes, and stain repellants. Most people have been exposed to PFAS. Certain PFAS can accumulate and stay in the human body for long periods of time. There is evidence that exposure to PFAS can lead to adverse health outcomes in humans. The most-studied PFAS chemicals are PFOA and PFOS.

- **How people are exposed?**

There are a variety of ways that people can be exposed to these chemicals and at different levels of exposure. For example, people can be exposed to low levels of PFAS through food, which can become contaminated through contaminated soil and water used to grow the food, food packaging containing PFAS, and equipment that used PFAS during food processing.

People can also be exposed to PFAS chemicals if they are released during normal use, biodegradation, or disposal of consumer products that contain PFAS. Also, people may be exposed to PFAS used in commercially-treated products to make them stain- and water-repellent or nonstick. These goods include carpets, leather and apparel, textiles, paper and packaging materials, and non-stick cookware. Furthermore, people who work at PFAS production facilities, or facilities that manufacture goods made with PFAS, may be exposed in certain occupational settings or through contaminated air.

Drinking water can be a source of exposure in communities where these chemicals have contaminated water supplies. Such contamination is typically localized and associated with a specific facility, for example, an industrial facility where PFAS were produced or used to manufacture other products, or an oil refinery, airfield or other location at which PFAS were used for firefighting. PFOA, PFOS, and GenX have been found in a number of drinking water systems due to localized contamination.

- **Are there health effects?**

PFAS are persistent in the environment, bioaccumulative in wildlife and humans, and are toxic to laboratory animals and wildlife, producing reproductive, developmental, and systemic effects in laboratory tests. According to “Colorado.gov” website ^[3], a large number of studies have examined possible relationships between levels of PFCs in blood and harmful health effects in people. However, most of these studies analyzed only a small number of chemicals, and not all PFCs have the same health effects. Research suggests that high levels of certain PFCs including PFOA and PFOS may:

- ✓ Increase cholesterol levels.
- ✓ Cause liver damage or changes in liver function.
- ✓ Decrease how well the body responds to vaccines.
- ✓ Increase the risk of an asthma diagnosis.
- ✓ Increase the risk of thyroid disease.
- ✓ Decrease fertility in women.
- ✓ Increase the risk of serious conditions like high blood pressure or pre-eclampsia in pregnant women.
- ✓ Lower infant birth weights; however, the decrease in birth weight is small and may not affect the infant’s health.

Here are some links for more information about PAFS

- [1] https://www.pfasfacts.com/?utm_source=google&utm_medium=search&utm_campaign=pfasfacts%20initial&utm_content=0004
- [2] <https://www.epa.gov/pfas/basic-information-pfas>
- [3] <https://www.colorado.gov/pacific/cdphe/PFCs/health>

The U.S. EPA Administrator Andrew Wheeler delivered the keynote presentation to kick off Opening Session at the 2019 WaterPro Conference in Nashville, Tennessee with more than 2,100 in attendance. He stated:

“Regulations need to keep pace with science and realities on the ground,” Wheeler stressed. “PFAS is a major concern right now, and EPA is working to develop new technologies and treatment options to remove PFAS from drinking water and to remediate soil.” Along with this research and development, they are looking into the risks of PFAS in bio-solids, monitoring options and developing a PFAS risk communication toolbox that includes materials that states, tribes and local partners can use to effectively communicate with the public.

The current approved PFAS testing uses analysis by EPA Method 537 v1.1, EPA method 537.1. Method 537.1 is almost identical to method 537 v1.1 with four more parameters added and some additional quality control /quality assurance (QA/QC) requirements. There are proprietary method measures up to 39 different compounds. The test done by approved laboratories and it cost from \$300 to \$600 for each test/location. This cost can quickly add up for monitoring and testing water sources, drainage system, and treatment plants. I will wait for your directive after this information is presented to the D&S Committee for recommendation on the next step.

Sincerely,

Jani Tariq Hussain
Deputy Director,
Richland County Utilities