

**RICHLAND COUNTY**

**ADMINISTRATION & FINANCE**

**COMMITTEE AGENDA**



**Thursday, NOVEMBER 19, 2020**

**6:00:00 PM**

**ZOOM MEETING**

**The Honorable Joyce Dickerson, Chair**

**County Council District 2**

**The Honorable Bill Malinowski**

**County Council District 1**

**The Honorable Yvonne McBride**

**County Council District 3**

**The Honorable Joe Walker**

**County Council District 6**

**The Honorable Dalhi Myers**

**County Council District 10**

# RICHLAND COUNTY COUNCIL 2020



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 Administration & Finance Committee

November 19, 2020 - 6:00:00 PM  
Zoom Meeting  
2020 Hampton Street, Columbia, SC 29201

1. **CALL TO ORDER** The Honorable Joyce Dickerson
  
2. **APPROVAL OF MINUTES** The Honorable Joyce Dickerson
  - a. Regular Session: October 27, 2020 [PAGES 7-15]
  
3. **APPROVAL OF AGENDA** The Honorable Joyce Dickerson
  
4. **ITEMS FOR ACTION** The Honorable Joyce Dickerson
  - a. Sale of Property located on Farrow Rd. (Tax map Numbers #R17300-02-10 and #17300-02-33) [PAGES 16-29]
  - b. Sewer Availability Letter for Bunch at Garners Ferry Road Development [PAGES 30-34]
  - c. Annual Leave Rollover [PAGES 35-46]
  - d. Sick Leave Policy Amendment [PAGES 47-50]
  - e. Repeal and change a portion of Richland County Ordinance Article XI, INQUIRIES AND INVESTIGATIONS, Sec. 2-652. Conduct of investigations. (a)(1), that starts with, "Commence any official investigation...". In addition, have the Richland County Legal Department in conjunction with the Richland County lobbyist contact SC State Legislators and the South Carolina Association of Counties to request Section 4-9-660 of the South Carolina Code of Laws be repealed/changed. [PAGES 51-54]
  - f. I move to restore \$37,561 to the Richland County Conservation Program Historic Preservation Grants from

the Richland County Conservation Commission Reserve Account to be allocated in the FY21 grants program. [PAGES 55-66]

- g.** Move to engage a third party design-build company to begin work on the \$2m SE Richland County multi-purpose facility, as approved by Council in 2018. The funds were earmarked and approved, but RC staff has not undertaken any planning or construction of the Council-approved project by the end of November, 2020.
- h.** Move to remit the \$300,000 private donation (negotiated by Councilwoman Dalhi Myers and Councilman Chip Jackson) earmarked for the Taylors Community to Richland County Parks & Recreation under an IGA, to be designated as funding for the Taylor's Community Park, promised and fully funded, as part of an Economic Development plan for the Reign Community on Shop Road before December 31, 2020. These funds were donated beginning in 2017 prior to the construction of the 2,000 bed new Reign Community, which is now complete. RC staff has not begun planning or construction on the fully funded park. [PAGES 67-101]
- i.** Emergency Services Department – Fire Truck Purchase [PAGES 102-104]
- j.** Emergency Services Department – Purchase Orders [PAGES 105-116]
- k.** McEntire Joint National Guard Base (MJNGB)/South Carolina Air National Guard (SCANG) - Military Construction and Cooperative agreement (MCCA) to connect to the Southeast Sewer and Water Expansion Service [PAGES 117-163]
- l.** Atlas Road Community Park Professional Services Contract [PAGES 164-322]

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

The Honorable Joyce Dickerson

- a.** Utilities Delegated Review

**6. ADJOURN**



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**Richland County Council**  
Administration and Finance Committee  
October 27, 2020 –6:00 PM  
Zoom Meeting

COMMITTEE MEMBERS PRESENT: Joyce Dickerson, Chair, Bill Malinowski, Yvonne McBride, Dalhi Myers

OTHERS PRESENT: Paul Livingston, Allison Terracio, Michelle Onley, Leonardo Brown, Tamar Black, Angela Weathersby, Kyle Holsclaw, Michael Byrd, Shane Kitchens, Ashiya Myers, Ashley Powell, Bill Davis, Brad Farrar, Clayton Viognier, Dale Welch, John Thompson, Geo Price, Hayden Davis, James Hayes, Dwight Hanna, Jennifer Wladischkin, Kerry Smyer, Brittney Hoyle-Terry, Randy Pruitt, Ronaldo Myers, Stacey Ham, Jani Hussain, Brian Crooks and Michael Maloney.

1. **CALL TO ORDER** – Ms. Dickerson called the meeting to order at approximately 6:03 PM.
2. **APPROVAL OF MINUTES** – Ms. Myers moved, seconded by Ms. McBride, to approve the minutes as distributed.

In Favor: Malinowski, Dickerson, McBride, Myers

Not present: Walker

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Mr. Brown indicated that Item 4(g): “Sewer and Water Connection for Residents Living Within the Southeast Sewer and Water Expansion Zone” needed to be removed from the agenda, as it was addressed at the October 6<sup>th</sup> Council meeting.

Ms. Myers moved, seconded by Ms. McBride, to adopt the agenda as amended.

In Favor: Malinowski, Dickerson, McBride, Myers

Not present: Walker

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

- a. **Utilities Delegated Review** – Mr. Brown noted this process is currently in place. The purpose of this item was to show Council members the additional steps they would have to take (i.e. hiring another professionals for the process), if they did not want to utilize the process currently in place, which

**Administration & Finance Committee**  
**October 27, 2020**

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allows staff to make decisions. Staff's recommendation would be to allow the current process to continue. He indicated there have been questions in the community related to items about sewer requests and sewer accessibility. Therefore, staff wanted to bring this to Council's attention, in an effort to affirm this is the process that Richland County has been using to carry out the sewer availability process, and will continue to use in the future.

Mr. Malinowski moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to follow the staff's recommendation to allow the process in place to continue.

Ms. Myers inquired about staff's timing on these issues, and at what point the body is notified.

Mr. Davis responded, when they get a request, the first thing they do is utilize the existing data to determine whether we have the ability to provide service. If we allow service on a system, which does not have capacity, we will end up having sewer overflows and face compliance issues. The first step is to make sure that we can handle the flow. Secondly, because the process takes a long time, as soon as we make a determination that we can handle the flow, and we have availability, then we come to the A&F committee with a formal request to approve. We come to you as soon as we can to let you know that we have availability for this sewer. For example, if a particular developer wants to develop a 200-lot subdivision, we bring that to your attention. In the briefing document, we would identify the property, the size of the property, as well as, the implications for tap fees and other ramifications for collecting the sewer. At that point, the A&F committee would vote to forward the request to Council for approval.

Ms. Myers noted she is looking for a specific timeframe. Mr. Davis indicated, "It takes a long time," which is the community's main concern. In some cases, Council, and other parties, have requested third parties to do this.

Mr. Davis responded this is the dilemma they find themselves in with the multiple levels of Council approval. When they have capacity, if they were able to go ahead and issue the letter of sewer availability to the developer, they could move much faster. As it stands now, they have to come to the A&F committee to ask for permission to do what they have already determined can be done. Then, instead of just notifying Council, that they have approved so many taps in the process.

Ms. Myers inquired as to how many days the team is given to decide whether we have capacity.

Mr. Davis responded sometimes you have to look it up, so it could take 2-5 days, and sometimes they can answer immediately. He indicated there is no set timeframe. It depends on where it is in the system, which is why they have different timeframes.

Ms. Myer suggested there needs to be a maximum number of days, so the development community, and people who are building individual houses, know how long it's going to take us.

Mr. Malinowski stated, it has always been his understanding, a sewer availability letter is merely to advise the person inquiring that Richland County sewer is available within an accessible distance from the place they are interested in getting sewer. It is not a commitment to provide sewer. The decision to provide sewer can be made when the developer hires an outside consultant that provides Richland County the requirements the County must have before committee. It seems like it should be a two-step process. The first step, the letter of availability, is just what it says it is, it is a letter that says it is available. We can come back with the specific afterwards. We do not have to approve an availability letter. When they give Council the details, then the decision can be made if

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we are provide it. There is a State law that states, “Nobody has to be given sewer” whether it is there or not. That is up to the elected officials, and he thinks we need to follow State law.

Ms. McBride stated, in reviewing the standard operating procedures, it would be good to add some of the recommendations that Ms. Myers and Mr. Malinowski provided, so we get a fuller understanding of the SOPs for utilities.

Ms. Dickerson stated, if this goes to the Council, she would request Mr. Davis adding the language “up to 10” or “up to 30” days, so they will be able to look at it in more detail.

Mr. Davis responded in the affirmative. He stated that goes in line with the former DHEC process, which had a 20-day working day’s timeframe.

Mr. Malinowski made a substitute motion, seconded by Ms. McBride, to keep this in committee, until we receive the responses to the questions raised. There were numerous questions, and we may even need to amend ordinances. In summation, the property owner does not have a protected property interest to connect to a sewer line. Therefore, he would like to ensure the way we are doing it is proper, and a sewer availability letter merely states there is availability of sewer. It does not grant the sewer. After the sewer availability letter goes out, the property owner may decide they cannot afford the property, so they do not submit everything needed to commit to sewer. He would like to have the definition of what a sewer availability letter is, and the requirements there are for a requestor prior to approval.

In Favor: Malinowski, Dickerson, McBride, Myers

Not present: Walker

The vote in favor was unanimous.

- b. Alvin S. Glenn Detention Center - Detainee Telephone Service – Mr. moved, seconded by Ms. Dickerson, to forward this item to Council with a recommendation to award the contract to GTL for the detainee telephone service at Alvin S. Glenn Detention Center.

Ms. Myers inquired about the cost to detainees to utilize the service.

Mr. Myers responded the cost for Richland County was \$0.15, for Lexington County it was \$0.21, and Charleston County is approximately \$0.11.

Ms. Myers stated, for clarification, Mr. Myers left the cost at \$0.15/minute.

Mr. Myers responded they have not negotiated with the provider, as far as what we want them to charge.

Ms. Myers stated, for clarification, after we have selected a provider, we can negotiate the cost.

Mr. Myers responded they can negotiate up to a certain amount. The FCC has capped the amount at \$0.21/minute.

Ms. Myers inquired if they could negotiate below that.

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Mr. Myers answered in the affirmative.

Ms. Myers offered a friendly amendment that the rates not exceed those of Charleston County.

Mr. Malinowski accepted the amendment. He noted the Charleston County rates are not listed on the cost comparison statement. The lowest rate on the cost comparison is Greenville County at \$0.12/minute.

Ms. Myers stated these detainees are not convicted of any crime, and she would not want them to be unable to talk to their families due to inability to pay. Frankly, she would suggest capping the cost at \$0.10/minute.

Mr. Malinowski stated he would accept that amendment.

Mr. Myers noted that he wanted to ensure the phone company is covering their costs, when we are capping the amount. The telephone companies do have a cost.

Ms. McBride stated she had the same concerns Ms. Myers expressed. She inquired if the County is making money off the phones. She indicated she was going to vote no to keep the item off the consent agenda, so we can have further discussion.

Ms. Dickerson restated the motion as follows: to award the contract to GTL for detainee telephone services at the ASGDC, and to cap the amount at \$0.10/minute.

In favor: Malinowski, Dickerson, Myers

Oppose: McBride

Not present: Walker

The vote was in favor.

- c. Richland County amend the retirement insurance benefit for employees to be granted full insurance benefit to employees who serve a total number of accumulative years instead of total consecutive years for their perspective terms for full retirement. Example: employees who qualify for full retirement at 25, 28 and 30 years be granted full retirement benefits based on a total accumulated years served instead of consecutive years. The total years must be with Richland County Government – Ms. McBride requested Mr. Hanna to provide the overall potential fiscal impact.

Mr. Hanna responded the cost for the retiree premium would be up to \$30,432. The estimated GASB 75 liability would be \$56,691, which equates to approximately \$87, 123. In addition, there would be the cost of any claims incurred by the additional retirees, which would be the estimate to approximately \$100,000 per retiree, per year.

Ms. McBride stated, for clarification, the total impact on the budget would be \$100,000 per year.

Mr. Hanna responded, because of the GASB liability, we can fund that with dollars, or we can show it on our balance sheet. He does not want to say it would be a budgeted amount, but it would be a liability the County would have to show on their balance sheet.

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Ms. McBride stated, for clarification, this would not be for each individual.

Mr. Hanna stated, we currently have a total of \$160M, in terms of GASB 75 liability. He took the number of members and came out with an average of \$56,691. For each retiree, it would be a combination of the GASB 75 liability, the premium costs, and an estimate for claims, which would equate to approximately \$100,000 per year for each additional retiree. He does not know how many retirees would be eligible and/or would take the plans, so he does not have a total number.

Ms. Dickerson stated, for clarification, we are looking at approximately \$44,000 per person, per year.

Mr. Brown stated, in order to answer Ms. McBride's question, it would require an actuary study. Mr. Hanna is only offering is an estimate.

Mr. Malinowski inquired about the average number of employees that retire annually from Richland County.

Mr. Hanna responded approximately 15-20 employees retire, per year.

Mr. Malinowski noted, based on Mr. Hanna's estimate, the additional annual cost would be approximately \$1.5M - \$2M.

Mr. Hanna stated, he believes Mr. Malinowski's numbers would accurate. If we changed the criteria, there would be many individuals that already retired that would be eligible. So, if this were made retroactive, there may be more than just the normal number that would apply for retirement.

Ms. McBride inquired, if we made these changes, would this be consistent with other counties or the City of Columbia, and why are we trying to provide some consistency.

Mr. Hanna responded this was a motion made by Ms. Kennedy, not a staff recommendation. Generally, employer are moving away from providing retirement benefits. We checked with the City of Columbia, Greenville, Lexington, Horry and Fairfax County, and they are all moving away from increasing the obligation for retirement benefits. In 2009, because of GASB 45, which is now GASB 75, and the added financial obligations to the counties, Council approved the criteria for continuous service.

Mr. Malinowski moved, seconded by Ms. Dickerson, to deny this item, and maintain the current system.

In favor: Malinowski, Dickerson, McBride, Myers

Not present: Walker

The vote in favor was unanimous.

- d. We move to reduce the amount of discretionary funds available to individual council members; be it funds for training, travel and entertainment, printing materials, or otherwise, by one half of the currently authorized amount. This is to include funds reimbursed to council members as well, be it from a discretionary account or otherwise – Mr. Malinowski stated part of the reason he would like to see this passed is because of COVID, and all of the other departments and County agencies being

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asked to reduced their spending. Travel has been, and continues to be restricted, as do gathering where you would have educational opportunities. Therefore, we should also show our support on what everyone else is doing, and we likely do not need all the funding we did previously.

Mr. Malinowski moved to approve this item.

The motion dies for a lack of a second.

Ms. Dickerson stated she would entertain a motion that we maintain the current discretionary funding.

Mr. Livingston noted a motion is not necessary for something that already exists.

Ms. Myers noted this was originally brought through newspaper articles that were used in a roundabout way to essentially say that some of us were spending flagrantly and abusively from our discretionary funds. She wanted to go on the record to say, she thinks it is high time that at Richland County we stop reflectively accusing people of things. Staff has the authority to ask what is being spent. They should use that authority, to not use this information to bludgeon people, and to ruin people's reputations, without any information. She knows, in her particular case, it was flat out wrong. She would just like to be clear that her district it 360 sq. miles. Everybody does not have the same constraints and do not have the same need to do things, but we should be really careful. She would admonish the staff, rather than passing individual councilmembers discretionary account spending to their colleagues, they just call and ask what is going on.

Mr. Malinowski stated, on the record, it was certainly not the reason for this particular motion. It had nothing to do with newspaper reports. It had nothing to do with any allegations anywhere. It had to do with the fact that he, as well as, Mr. Walker, who is the co-maker of this motion, felt the amount of discretionary funding approved in 2017 was not needed.

- e. We move to immediately terminate the individual issuance of and usage of Government Procurement Cards by elected and appointed officials in Richland County – Mr. Malinowski moved to approve staff's recommendation to centralizing purchase card spending within the offices of elected and appointed officials.

The motion dies for lack of a second.

Ms. Myers reiterated her earlier comments and associate it with this item as well.

- f. Repeal and change a portion of Richland County Ordinance Article XI, INQUIRIES AND INVESTIGATIONS, Sec. 2-652. Conduct of investigations. (a)(1), that starts with, "Commence any official investigation..."
  - 1. *In addition, have the Richland County Legal Department in conjunction with the Richland County lobbyist contact SC State Legislators and the South Carolina Association of Counties to request Section 4-9-660 of the South Carolina Code of Laws be repealed/changed*

Mr. Malinowski stated, on p. 106 of the agenda, Mr. Smith noted a proposal to add language to Sec. 2-652, to make it clear a councilmember may, in their individual capacity, file a report with the appropriate law enforcement authorities , if deemed necessary.

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October 27, 2020**

Mr. Malinowski moved, seconded by Ms. Dickerson, to forward to Council with a recommendation to add language to Sec. 2-652 to make it clear that a Councilmember may, in his individual capacity, file a report with the appropriate law enforcement authorities as deemed necessary by that member, and retain the 2<sup>nd</sup> part of the motion in the A&F committee because Section 4-9-660 of the South Carolina Code of Laws has not been addressed.

Ms. McBride requested to keep both portions in committee.

Mr. Malinowski amended the motion to keep both portions in committee for additional information.

In favor : Malinowski, Dickerson, McBride, Myers

Not present: Walker

The vote in favor was unanimous.

h. FY20-21 Public Service Projects – Mr. Malinowski moved, seconded by Ms. McBride, for discussion.

Ms. McBride inquired if these were competitive grants.

Mr. Viognier responded in the affirmative.

Ms. McBride stated, it is her understanding, staff evaluated the grants.

Mr. Viognier responded in the affirmative.

Ms. McBride requested, in the future, to look at best practices with grant evaluations and procurement processes, in order to get the best prototype and insure there is no bias, and perhaps utilize an external reviewer.

Mr. Brown responded in the affirmative.

Mr. Malinowski noted, on pp. 118 – 119, there is an average recommended, yet in some instances the recommended amount is nowhere near what the requested amount was. The Central Midlands Regional Transit Authority trial decision was declined, yet that is one that has been approved on the list for receiving funds. Then, you have another one that was approved, which was “Serve and Connect”, and they are not on the list for receiving funds. He inquired if this is an error.

Mr. Viognier replied it is was an error in the agenda packet. CMRTA was not recommended for funding, and was included by mistake. They will update the summary page to reflect North Columbia Youth Empowerment Initiative, if this is forwarded to Council.

Ms. Dickerson inquired if this is time-sensitive.

Mr. Viognier replied, the sooner move this forward, the sooner the funding gets approved and the funds drawn down from the Federal Government.

Mr. Malinowski moved, seconded by Ms. Myers, to forward this to Council without a recommendation, pending the corrected briefing document.

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In favor: Malinowski, Dickerson, McBride, Myers.

Not present: Walker

The vote in favor was unanimous.

- i. Sale of Property located on Farrow Rd. (Tax map Numbers #R17300-02-10 and #17300-02-33) – Ms. McBride inquire if this was the same property that was brought to council previously in order to build a basketball court.

Ms. Dickerson responded in the affirmative.

Mr. Malinowski noted this request was generated by an outside purchaser submitting an unsolicited contract of sale. He stated this Council enacted a set of rules on how to obtain, as well as, sell property. A part of those rules is, if we are selling property, it has to be declared excess, or available for sale. We do not decide to make it available.

Mr. Malinowski moved, seconded by Ms. Myers, to hold this item in committee.

In favor: Malinowski, Dickerson, McBride, Myers

Not present: Walker

The vote in favor was unanimous.

- j. Grant Request for Community Beautification – Lake Elizabeth Homeowner’s Association – Mr. Malinowski moved, seconded by Ms. Dickerson, to deny this request, based on the fact it says it is not an acceptable use of discretionary funds.

Ms. McBride inquired why was this item was brought before the committee.

Dr. Thompson responded the request came from an outside entity. Therefore, in order for staff to be responsive and do its due diligence, we brought the request before the committee, so no one thinks staff is dropping the ball when we get these requests from the public.

Ms. McBride inquired if this request came through Ms. Kennedy.

Dr. Thompson responded it came from an outsider person that contacted him. Ms. Kennedy has been briefed on this particular matter.

In favor: Malinowski, Dickerson, Myers

Abstain: McBride

Not present: Walker

The vote in favor was unanimous.

Ms. Dickerson requested, in the future, to have the Councilmember, for that area, to bring the request forward, and have the Chair refer it to the appropriate committee.

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- k. Sewer Availability Letter for Bunch at Garners Ferry Road Development – Mr. Malinowski moved, seconded by Ms. Myers, to hold this item in committee.

In Favor: Malinowski, Dickerson, McBride, Myers

- l. Annual Leave Rollover – This item was not taken up.
- m. Sick Leave Policy Amendment – This item was not taken up.

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

- a. I move to restore \$37,561 to the Richland County Conservation Program Historic Preservation Grants from the Richland County Conservation Commission Reserve Account to be allocated in the FY21 grants program – No action was taken.
- b. Move to remit the \$300,000 private donation (negotiated by Councilman Dalhi Myers and Councilman Chip Jackson) earmarked for the Taylor’s Community to Richland County Parks & Recreation under and IGA, to be designated as funding for the Taylor’s Community Park promised and fully funded, as part of an Economic Development plan for the Reign Community on Shop Road before December 31, 2020. These funds were donated beginning in 2017 prior to the construction of the 2,000 bed new Reign Community, which is now complete. RC staff has not begun planning or construction on the fully-funded park. – No action was taken.
- c. Move to engage a third-party design-build company to begin work on the \$2M SE Richland County multi-purpose facility, as approved by Council in 2018. The funds were earmarked and approved, but RC staff has not undertaken any planning or construction of the Council-approved project by the end of November 2020 – No action was taken.

6. **ADJOURNMENT** – The meeting adjourned at approximately 7:00 PM.

**Administration & Finance Committee  
October 27, 2020**



### Agenda Briefing

**Prepared by:** Hayden Davis, Project Manager- Facilities  
**Department:** Operational Services  
**Date Prepared:** September 15, 2020      **Meeting Date:** October 27, 2020

<b>Legal Review</b>	Elizabeth McLean via email	<b>Date:</b>	September 16, 2020
<b>Budget Review</b>	James Hayes via email	<b>Date:</b>	September 15, 2020
<b>Finance Review</b>	Stacey Hamm via email	<b>Date:</b>	September 15, 2020
<b>Approved for consideration:</b>	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	

**Committee** Administration & Finance

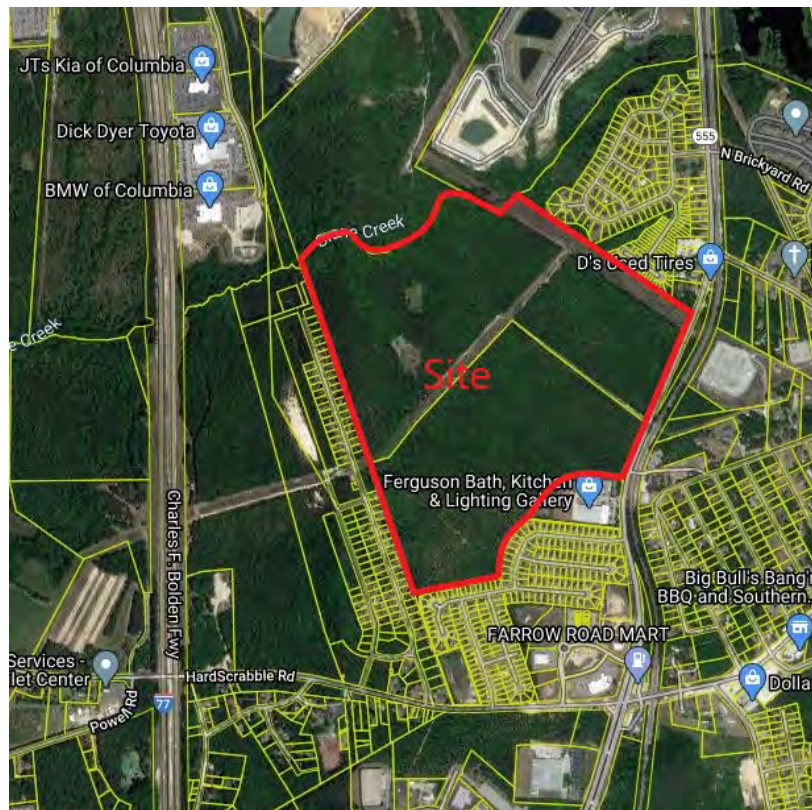
**Subject:** Sale of Property located on Farrow Rd. (Tax map Numbers #R17300-02-10 and #17300-02-33)

#### Recommended Action:

As this request was generated by an outside Purchaser submitting an unsolicited “Contract for Sale” document to Richland County, staff takes a neutral position on the divestment of the property.

#### Motion Requested:

To advise staff on Council’s intention regarding the property on Farrow Road, listed as Tax map Numbers #R17300-02-10 and #17300-02-33. (See highlighted area in the graphic below.)





Four different and mutually exclusive options are presented for Council's consideration:

**Option 1:** Move to continue to hold the property as an asset of Richland County for potential future development and economic improvement or for sale at a later date. This action will result in staff taking no immediate action on the property.

**Option 2:** Move to accept the "Contract for Sale" offer from the Purchaser (Winding Path, LLC) and start the process of disposing of the property immediately. This action will result in staff contacting with an appraisal firm to perform a Fair Market Value (FMV) assessment and for County Council to enter into negotiations with the proposed Purchaser with expectations of executing a "Contract for Sale" document based on the Fair Market Value (FMV).

**Option 3:** Move to list the property on the Surplus Real Property List (SRPL) and have staff market the property for sale as guided by the "Acquisition, Lease, Disposal of County Real Property" operational procedures document. (See Attachment A for copy of the document) This action will result in staff taking action on the property as described in the document listed above.

**Option 4:** Move to instruct staff on how to proceed in a different manner as per the will of Council. This action will result in staff proceeding as instructed by Council.

Request for Council Reconsideration: Yes

#### Fiscal Impact:

The properties were initially purchased by Richland County on November 11, 2006 for a total cost of \$6,800,000 for both parcels, according to the County's Economic Development Department.

The County's GIS website shows parcel R17300-02-10 has an Assessed Market Value (AMV) of \$2,436,600.00 for the 121.830 acres. Parcel R17300-02-33 shows an Assessed Market Value (AMV) of \$1,696,400.00 for the 84.820 acres.

Therefore, the total estimated Assessed Market Value (AMV) is \$4,133,000.00 for the +/-206.65 acres.

**Option 1:** Continue to hold the property as an asset: There would be no direct financial impact to this option. However, the property would remain off the tax rolls and would not generate any real estate tax revenues to the County.

**Option 2:** Accept Contract for Sale: The current offer submitted by the Purchaser (Winding Path, LLC) is in the amount of \$1,800,000.00 for the total +/-206.65 acres.

If the offer is accepted outright, the fiscal impact is a direct loss of **at least \$5,000,000** to the County from the original purchase price.

It is staff's advisement to not accept the current offer outright without first having a Fair Market Value (FMV) appraisal completed as called for in the Acquisition, Lease, Disposal of County Real Property operational procedures document recently approved by County Council, and for County Council to enter into negotiations with the proposed Purchaser based on the established Fair Market Value (FMV). "Properties are bought and sold according to Fair Market Value (FMV) rather than Assessed Market Value (AMV)"

However, the property is currently not on the tax rolls. Selling it to a private investor would result in the property returning to the tax rolls. (Estimated revenues generated cannot be determined without more information from the developer.)

**Option 3:** List the property on the Surplus Real Property List: If the property is listed on the Surplus Real Property List (SRPL), the property will be marketed, potentially soliciting a higher or lower purchase price. If an offer is solicited through this process, this offer would be brought before Council for consideration. This action could result in a higher or lower fiscal impact to the County.

**Option 4:** Instruct staff on how to proceed in a different manner: The financial impact would have to be determined based upon the direction provided by Council.

**Motion of Origin:**

There is no associated Council motion of origin. Staff is moving this item forward at the request of the proposed Purchaser (Winding Path, LLC).

Council Member	
Meeting	
Date	

## Discussion:

The properties were purchased by Council in 2006 with the intention of developing the asset into a sports/entertainment facility. Through different proposed purposes and studies, the proposed projects never panned out as viable or acceptable to full Council. Therefore, the property currently remains undeveloped.

The properties are currently zoned as M-1 (Light Industrial District). The properties also have wetlands and sections of floodways and flood zones. The property also has electrical and gas easements crossing it. See the graphic below indicating these.



*From RC GIS website: Wetlands – green, Floodway – red, Flood zones – yellow & orange*

The proposed Purchaser (Winding Path, LLC) has indicated via email (Attachment B) that the property will be developed into a residential subdivision. (This will require the property to be re-zoned.) According to the same email, the Purchaser based the offer on a sale they felt was comparable (a 137+/- acre parcel) that is scheduled to close in the next 30 days.

If the will of the Council is to sell the Property to the Purchaser (Winding Path, LLC), then staff will work with the Legal Department and Procurement to obtain a Fair Market Value appraisal; and start the process for County Council to negotiate/execute a “Contract for Sale” document based on the Fair Market Value and start the due diligence process.

If the will of the Council is to divest Richland County's ownership interest in the property and list it on the Surplus Real Property List (SRPL), staff will start the process of listing the property with a Procurement qualified private broker. A notice will be published on the County's website, and the property will be listed in the South Carolina Business Opportunities Newsletter (SCBO), as described in the "Acquisition, Lease, Disposal of County Real Property" operational procedures document that was recently approved by Council.

**Attachments:**

1. Copy of Acquisition, Lease, Disposal of County Real Property operational procedures document
2. Contract of Sale as Submitted by Winding Path, LLC on July 24, 2020 via email
3. E-mail from Purchaser representative
4. Agenda Briefing Addendum dated November 02, 2020

## **Acquisition, Lease, and Disposal of County Real Property**

### **I. Purpose**

The purpose of this document is to establish a framework through which the County Administrator may consider its real property assets and make recommendations to Council for real property acquisition and disposal.

#### Authority

S.C. Code Ann. Section 4-9-30 provides that a county governing body has the power “(2) to acquire real property by purchase or gift; to lease, sell or otherwise dispose of real and personal property; and to acquire tangible personal property and supplies;” and “(3) to make and execute contracts.”

Nothing herein shall diminish County Council’s authority to acquire, lease, purchase, sell or otherwise dispose of real property, or to enter into contracts. Real property disposition normally should be handled by County Council or the County Administrator, although other officials may be designated by the Administrator to assist in the disposition of real property.

### **II. Acquisition of Real Property**

The County may acquire property for such purposes as, including but not limited to, the following:

1. When County Council authorizes a construction project through the Capital Improvement Program (CIP) and the County does not have a suitable real property for it; or
2. For economic development projects through the Economic Development Department; or
3. For the acquisition of rights-of-ways through the Penny Transportation Program; or
4. Conservation easements.

#### Procedures

Real property acquisition should be based upon fair market value, unless circumstances indicate an acquisition can be made for a lesser value. Absent extraordinary circumstances (such as an unusual time exigency), at least one appraisal by a certified appraiser should be received to determine the fair market value of the real property, conforming to the Uniform Standard of Professional Appraisal Practices.

Real estate contracts, deeds and related legal instruments should be prepared by or reviewed by the County Legal Department before execution by the County.

Consultation should be made with the Finance and Budget and Grants Management directors, or their designees, to confirm:

- a. That the purchase or acquisition is specifically authorized in the CIP budget; and
- b. The availability of funds to pay for the interest in real property according to proposed contract terms.

All recommended real property transactions require a real property disposition summary prepared for review by approval authorities to include such information as:

- a. A property name or designator
- b. Property Address
- c. Acreage, plus or minus
- d. Intended Use
- e. Total acquisition cost
  - i. Must include the purchase price and any additional costs of acquiring the real property such as title work, survey, closing costs, earnest money, etc.
- f. Total cost to Use the real property
  - i. Any related costs required to prepare the real property for its intended use, such as major or incidental construction or renovation, site preparation, professional fees, and utility connection fees
- g. Funding Source
- h. Due Diligence Period Expires
- i. Closing Date
- j. "Point of No Return" Date (NOTE: may be different from the expiration of the due diligence, feasibility or inspection period).

### III. Disposal of Real Property

The County may dispose of surplus real property by sale or lease for, including but not limited to, the following purposes:

1. When the County does not intend to use or have a need for the real property; or
2. Upon request from a political subdivision or local government agency such as, but not limited to, state agency, municipality, board, commission, etc.; or
3. Upon request from a non-profit organization serving the public interest such as, but not limited to, health care, housing, social services, recreational activities, education; or
4. Upon request from a community development corporation for urban or suburban redevelopment such as, but limited to, affordable/workforce housing, mixed use development, or to provide social services; or
5. Economic development.

#### Procedures

There is hereby created a list to be known as the Surplus Real Property List (SRPL), the same to be maintained by the County Administrator and published for the public. The SPL will include real properties approved for sale, trade, encumbrance, or other action divesting Richland County of an ownership interest. All real properties on the surplus list shall be approved by the Administrator and sent to County Council for concurrence.

Surplus real property shall remain on the Surplus Real Property List until disposed of, unless the County Administration decides otherwise or the County Council removes the real property from the list. If the County Administrator decides to remove a property from the SRPL, the Administrator will notify County Council.

Surplus real property shall be disposed of by one of the following methods:

- a. Sealed bid process for real property valued up to \$25,000;
- b. Listing the property with a Procurement qualified private broker for real property valued at more than \$25,000;

- c. Listing the property for auction when a selected, Procurement qualified broker recommends that this method is the most advantageous for the County; or
- d. Any other method determined by the County Administrator, with the approval of County Council, to be commercially reasonable considering the type and location of property involved.

Prior to the disposal of real property, the Procurement Manager shall publish a notice online on the County's website, in the South Carolina Business Opportunities Newsletter (SCBO), and any other newspaper of general circulation, as deemed appropriate. The failure to provide the notice described herein shall not compromise the County governing body's power to dispose of property under the Home Rule portions of State law cited herein.

Unless otherwise directed provided by resolution, real property on the SRPL is approved by the County Council for sale and may be sold for:

- a. Not less than the fair market value, with fair market value being determined by:
  - i. Not less than one (1) certified real estate appraiser if the fair market value is determined to be less than two hundred fifty thousand dollars (\$250,000.00); or
  - ii. Not less than two (2) certified real estate appraiser if the fair market value is determined to be two hundred fifty thousand dollars (\$250,000.00) or more.

The general terms of sale shall be within the discretion of County Council.

All properties, independent of their values, shall be subject to disposition process as outlined in this policy.

The County Administrator, through the Finance Department (Procurement Division), shall provide to the County Council an annual report in the month of January, detailing all real properties sold, traded, encumbered, or divested by the administration over the past fiscal year ending on June 30<sup>th</sup>, which report shall contain:

- a. Property names and addresses;
- b. The approximate size of each real property;
- c. The acquisition amount paid for each real property and acquisition date;
- d. Surplus date;
- e. All appraisals and estimates, if any;
- f. The consideration received in the sale of each property;
- g. The names of buyer(s) involved in each transaction; and
- h. The date of sale.

Proceeds from the sale of surplus real property will be credited as follows:

- a. If purchased with General Fund funds or previously donated to the County: proceeds will be credited to the General Fund Capital Project Fund 1308 RC Property Sales to be used to finance capital projects.
- b. If purchased with Special Revenue funds: proceeds will be credited to the respective fund with which the purchase was paid from such Accommodations Tax, Hospitality Tax, Emergency Telephone, Economic Development, Transportation funds, etc.

- c. If purchased with Enterprise funds: proceeds will be credited to the respective fund with which the purchase was paid from such as Utilities, Solid Waste, Airport, etc.

**IV. Real Property Asset Classifications**

The following real property asset classifications will be considered to assess each real property asset owned by Richland County.

- a. General Government
- b. Public Safety
- c. Public Works
- d. Economic Development
- e. Health and Social Services

**V. Use of an Agent or Broker**

When listing the real property with a private broker as appropriate and necessary, the County Administrator may solicit and contract with a real-estate broker to represent the County for purchase and divestiture of real property greater than \$25,000. The broker must be from and familiar with the area in which the property is being sold. The Procurement Division will establish a list of qualified brokers for use by the County Administrator in selecting the broker who will best meet the needs of the County.

The commission paid to said broker would align with the Economic Development Committee recommended commissions (Exhibit A). Minor transactions under \$25,000 may not require the professional services of a real-estate broker and may be disposed of through a sealed bid process.

**VI. Relevant State Laws and County Ordinances**

The disposition or purchase of real property owned by Richland County is under the authority of the county's governing body. S.C. Code Ann. Section 4-9-30 provides in part:

“...each county government within the authority granted by the Constitution and subject to the general law of this State shall have the following enumerated powers which shall be exercised by the respective governing bodies thereof:

- a. to acquire real property by purchase or gift; to lease, sell or otherwise dispose of real and personal property...”

Richland County Ordinance 2-29 states:

“Public hearings, upon giving a reasonable public notice shall be held before final council action is taken to:

- a. ...Sell, lease or contract to sell or lease real property owned by the County”

Richland County Ordinance 2-143 states:

“Procurement...

- a. ...Upon request of the council, and subject to its approval of each transaction, performing all delegable functions in connection with acquisition and disposal of real property”

**VII. Definitions**



As used in this policy, the following term shall mean:

*Real property or Property.* The term “real property” or “property” shall include lands, tenements, and hereditaments.

*Real Estate Broker.* A person who has taken education beyond the agent level as required by state laws and has passed a broker’s license exam. Brokers can work alone or can hire agents to work for them.

**Real Estate Commissions**  
**Economic Development Committee Meeting**

February 5 2019

**Overview**

Richland County has added more than 500 acres to its inventory in the past five years. The goal in adding these properties is

**Recommendation**

Staff recommends the adoption of commissions as a practice with the following policies and procedures:


- 1) **Client Registration**: Commercial/industrial real estate brokers/agents shall submit to the Department of Economic Development a copy of an executed buyer/tenant representation agreement wherein the effective dates of such agreement are clearly spelled out. The registration shall clearly indicate which tract(s) of County-owned real estate are being exposed to the specific client. The Department will notify the broker/agent that the representation agreement has been received and accepted and placed in a confidential file in the Department's offices. Unless the Department receives a copy of an executed extension agreement from the broker/agent, then the registration will be voided by the Department as of the ending date in the original agreement.
- 2) **Raw Land Sales Commissions**: The County shall pay at the closing of the sale a commission of 3% on raw land where the total sales price or value is  $\geq$ \$1 million. The County shall pay at the closing of the sale a commission of 4% on raw land where the total sales price or value is  $<$ \$1 million.
- 3) **Building Sales**: The County shall pay at the closing of the sale a commission of 3.5% on the total sales price or value of a building, to include the land upon which it is situated and all improvements thereto. In the case of County-owned "speculative" or "shell" buildings, the 3.5% commission shall be payable on the "as built" price or value, including the land and improvements thereto, as opposed to the "finished out" cost or value of the building.
- 4) **Building Leases**: The County shall pay a commission of 4% of the total cash-out value of a lease. The payment schedule of the commission shall be negotiated with by the broker on a case by case basis.

**Assemblage**: The County retains the right to contract with a single member of the industrial/commercial brokerage community on the assemblage of tracts of land, with or without multiple ownerships, as may be required for major economic development projects and-or for future business parks or other economic development purposes. The commissions paid for this service shall be negotiated on a case-by-case basis.

### Contract of Sale

This contract of Sale ("Contract") is made and entered into valuable consideration between Winding Path, LLC and/or Assigned ("Purchaser") and Richland County ("Seller").

- A. Property – Approximately +/- 206 acres located on Farrow Road in Richland County, South Carolina TMS 17300-02-10 and 17300-02-33.
- B. **Price: \$1,800,000 – One Million Eight Hundred Dollars and no cents.**
- C. Earnest Money – \$50,000 Fifty Thousand and 00/100 Dollars
- D. Effective date – The Date on which this contract is fully executed by Purchaser and Seller
- E. Escrow Agent: Gerald Jowers, Attorney
- F. Offer Date- July 21, 2020
- G. Financing: Cash Transaction
- H. Due Diligence Period 90 days from ratified contract.
- I. Commission to be paid by Buyer.
- J. Closing to occur 45 days after end of Due Diligence Period
  
- I. PURCHASE AND SALE: Seller agrees to sell and Purchaser agrees to buy the property at the Purchase Price subject to the terms and conditions hereof.

 Date 7/21/20  
 Buyer – Winding Path, LLC

\_\_\_\_\_  
 Seller: \_\_\_\_\_ Date \_\_\_\_\_

**From:** Michael Reese <[michaelreeserealestate@gmail.com](mailto:michaelreeserealestate@gmail.com)>  
**Sent:** Friday, July 24, 2020 11:41 AM  
**To:** [REDACTED] >  
**Subject:** Farrow Road tract

We are wanting to develop a residential subdivision on this site.

I base this price for Farrow Road on a comp that's going to close in 30 days...137+/- acres on Rabon Road.

Michael Reese

**RICHLAND COUNTY  
ADMINISTRATION**

2020 Hampton Street, Suite 4069  
Columbia, SC 29204  
803-576-2050


**Agenda Briefing Addendum**

<b>Prepared by:</b>	Randy Pruitt	<b>Title:</b>	Director
<b>Department:</b>	Operational Services	<b>Division:</b>	
<b>Date Prepared:</b>	November 02, 2020	<b>Meeting Date:</b>	October 27, 2020
<b>Approved for Consideration:</b>	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
<b>Committee:</b>	Administration & Finance Committee		
<b>Agenda Item:</b>	4i. Sale of Property located on Farrow Rd. (Tax map Numbers #R17300-02-10 and #17300-02-33)		

**COUNCIL INQUIRY #1:**

Is the property in question considered “surplus?”

**Reply:**

No, staff were contacted in July 2020 with a request to purchase this property from a third party vendor.

**ADDITIONAL COMMENTS FOR CONSIDERATION:**
**ATTACHMENTS:**

1. Acquisition, Lease, and Disposal of County Real Property



**Agenda Briefing**

**Prepared by:** Bill Davis, Director

**Department:** Utilities

**Date Prepared:** October 07, 2020

**Meeting Date:** October 27, 2020

<b>Legal Review</b>	Elizabeth McLean via email	<b>Date:</b>	October 14, 2020
<b>Budget Review</b>	James Hayes via email	<b>Date:</b>	October 16, 2020
<b>Finance Review</b>	Stacey Hamm via email	<b>Date:</b>	October 12, 2020
<b>Approved for Consideration:</b>	Assistant County Administrator	John Thompson, Ph.D., MBA, CPM	
<b>Committee</b>	Administration & Finance		
<b>Subject:</b>	Sewer Availability Letter for the Bunch Garners Ferry Development		

**Recommended Action:**

The staff's recommendation is as follows:

County Council directs staff to issue a sewer availability letter that permits the developer to connect the Bunch development to the City of Columbia sewer collection subject to the following conditions:

1. The construction of the project is completed and fully permitted for operations before the completion of the Southeast Sewer and Water Expansion Project (SESWEF).
2. The developer shall install a pump station and force main that can convey all the sewer flow from the development to the City of Columbia manhole at Trotter Road and Garners Ferry Road.
3. At the completion of the SESWEF, the developer shall disconnect from the City of Columbia and reconnect to the County's sewer system reversing the flow to the new 16" force main for treatment at the Eastover Wastewater Treatment Plant (EWWTP). All costs associated with disconnection and reconnection shall be the responsibility of the developer.
4. If the SESWEF is completed before this project is completed the discharge point will be a connection at the new Garners Ferry Road pump station site.

**Motion Requested:**

Move to approve the staff's recommendation as noted above.

**Request for Council Reconsideration:** Yes

**Fiscal Impact:**

The new phase 1 development will consist of 133 mixed-use build-out for a flow of 39,900 GPD (2,400 GPD + 37,500 GPD). The 133 lots will generate \$532,000 in tap fees and a monthly sewer charge of \$7,405.44 at build-out. The monthly sewer charge is based on the current sewer rate of \$55.68 per resident. All the tap fees and monthly charges shall be paid to the County. The County shall be responsible for paying the City the monthly rate of \$33.76 per residential equivalent unit (REU) as agreed in the Inter-Governmental Agreement (IGA) for the transfer area. (See Attachment 1) The maximum monthly cost that the County will be paying to the City is \$4,490.08. This monthly fee will be dependent on how many sewer connections are completed before the new SESWEP system comes online. The RCU has the funding to absorb the monthly payment to the City while collecting the monthly sewer serve charges.

**Motion of Origin:**

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

**Discussion:**

On September 24, 2020, Richland County Utilities (RCU) received a request for sewer availability from E.L. Robinson Engineering Consultants, Inc. on behalf of the property owner. The sewer availability requested is for the Garners Ferry Road Proposed Site Development Plan (PSDP), a proposed development located in the Southeastern region of the County and preliminarily designed as a 133 REU mixed-use development. (See Figure 1 for the location of development). This subdivision is in the transfer area and within RCU’s service area. The County’s sewer collection system within the project area currently has insufficient capacity to handle the expected sewer flow. The project is currently proposed to be developed in eight (8) different phases with a projected time frame for each phase. (See Table 1). The flow generated at the build-out of the entire subdivision is estimated to be at 475,800 gallons per day (GPD) which would be treated at the Eastover Wastewater Treatment Facility (EWWTF). Sewer services can only be provided to this development at the completion of the Southeast Sewer and Water Expansion project. The total build-out of Bunch’s development is estimated to be completed by February 2028.

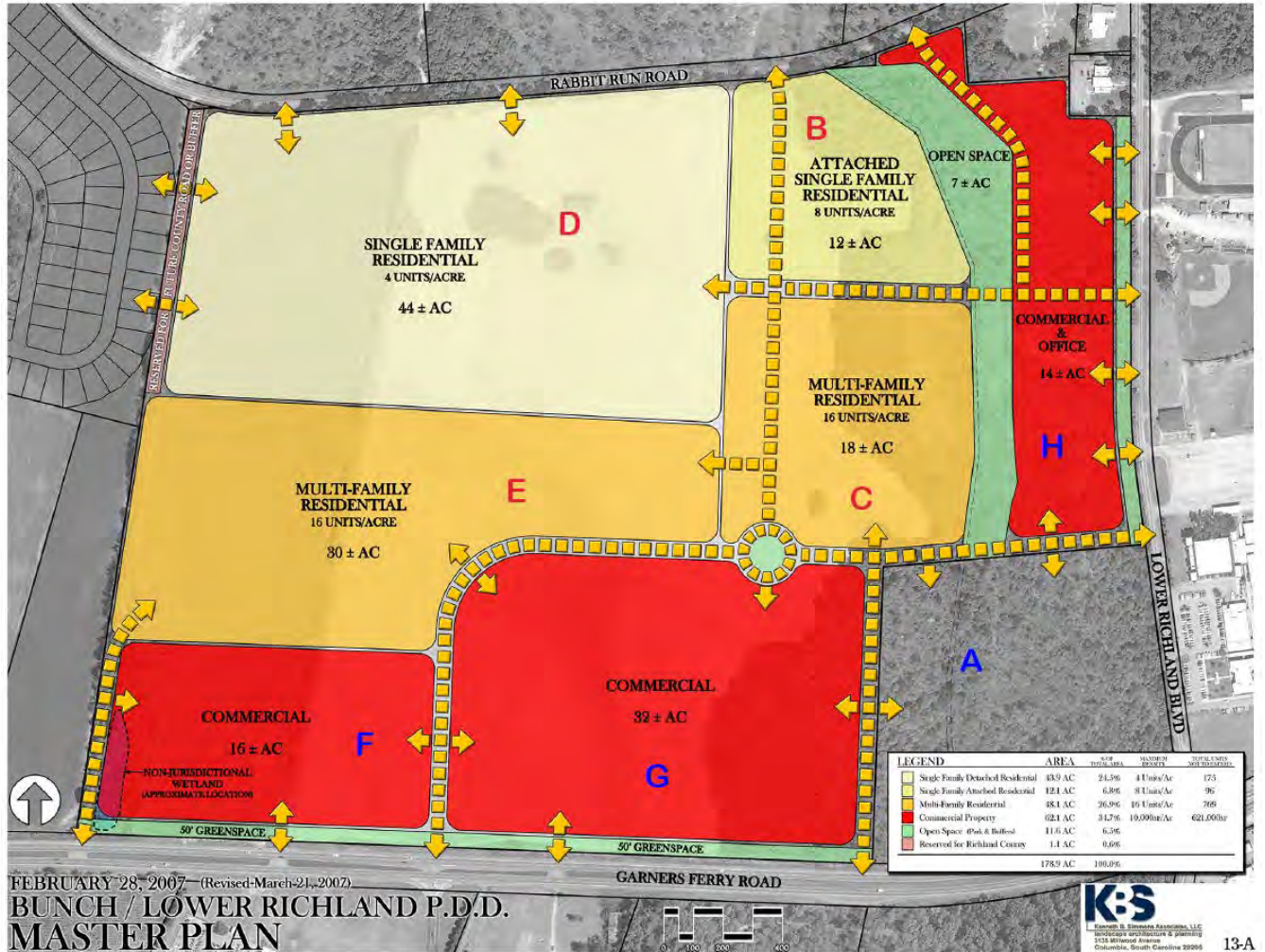
The project is still in the preliminary stage and there are ongoing conversations between the owner and potential developers. The developer that will be responsible for the project is yet to be determined. However, consultants from E.L Robinson Engineering are currently representing the property owner with the preliminary planning phase. To secure funding for the project, the owner is seeking a sewer availability letter that shows the capacity for the projected flow. Richland County has received approval from the City of Columbia, which has agreed to convey and treat the wastewater from the project for Phase 1 equivalent to 133 REUs. The consultant is requesting a sewer availability letter from the County that permits the developer to connect to the City of Columbia sewer collection system discharge at the manhole on Trotter Road and Garners Ferry Road crossing point while the SESWEP is in construction and the EWWTP is upgraded before the development is fully permitted. When the SESWEP is completed and

the EWWTP upgrade project is completed, the development will be connected to the County's collection system.

Staff is recommending the issuance of a letter that allows the developer to connect to the City of Columbia system until the SESWEP is complete. This letter is based on the conditions listed in the recommended actions.



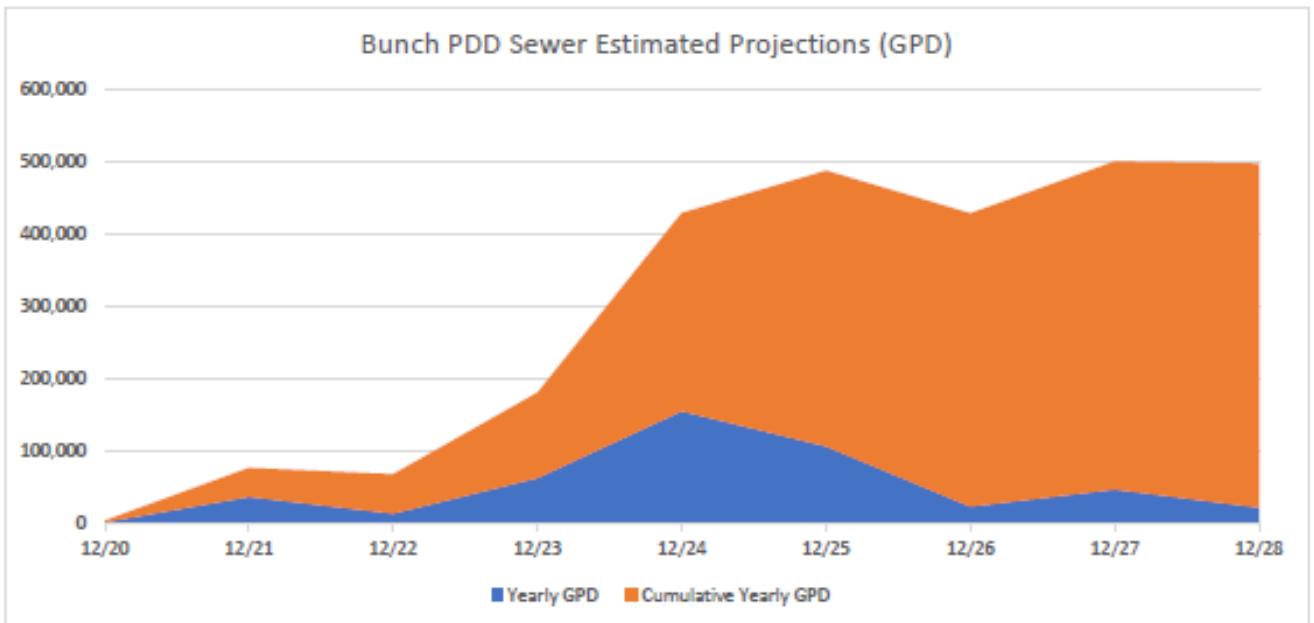
Figure 1: Project Location for Bunch Garner Ferry PSDP



**Table 1: Project Completion and Flow estimation for Bunch Garners Ferry PSDP**

**Bunch Sewer Estimated Projections**

12/20	12/21	12/22	12/23	12/24	12/25	12/26	12/27	12/28
2,400	37,500	14,400	63,600	156,000	107,400	24,000	48,000	22,500
2,400	39,900	54,300	117,900	273,900	381,300	405,300	453,300	475,800



**Attachments:**

1. IGA between Richland County and the City of Columbia



**Agenda Briefing**

**Prepared by:** T. Dwight Hanna, Director  
**Department:** Human Resource Services  
**Date Prepared:** October 07, 2020 **Meeting Date:** October 27, 2020

<b>Legal Review</b>	Elizabeth McLean via email	<b>Date:</b>	October 14, 2020
<b>Updated Budget Review</b>	James Hayes via email	<b>Date:</b>	October 22, 2020
<b>Updated Finance Review</b>	Stacey Hamm via email	<b>Date:</b>	October 22, 2020
<b>Approved for Consideration:</b>	County Administrator	Leonardo Brown, MBA, CPM	
<b>Committee</b>	Administration & Finance		
<b>Subject:</b>	Annual Leave Rollover		

**Recommended Action:**

Employees be permitted to rollover up to an additional one week (37.5 hours and 42.5 hours) of their 2020 accrued annual leave to 2021 until June 30, 2021. Permit employees an opportunity to take accrued annual leave in 2021 who may not have been able to take annual leave in 2020 because of COVID-19. COVID-19 required many employees to work during 2020 and there have been travel restrictions and limitations for safety reasons. The proposed change will neither increase the County’s annual leave accrual rate nor the County’s leave liability at pay out.

**Motion Requested:**

Temporary rollover of up to one week of additional accrued annual leave to expire on June 30, 2021, if not used by the respective employee. The additional annual leave rollover will not be paid out if an employee leaves RCG and may not be donated to the Catastrophic Leave pool. All normal annual leave request and approval procedure will apply.

**Request for Council Reconsideration:**  Yes

**Fiscal Impact:**

There will be no fiscal impact unless the department works employees overtime and/or hires additional non-exempt personnel while employees are on vacation. Staff is proposing no payout at termination to prevent fiscal impact. Employees on vacation will be paid and if they were working they would be paid. Also, staff proposes sunset this rollover at the end of fiscal year 2020/2021 or June 30, 2021.

**Motion of Origin:**

There is no associated motion of origin.

<b>Council Member</b>	
<b>Meeting</b>	
<b>Date</b>	

### Discussion:

Staff recognizes the importance and value of vacation to the overall well being of employees. This is especially relevant considering the COVID-19 pandemic. Many employees have not been able to take vacation time and other employees were not able to travel because of COVID-19 travel restrictions, limitations, and/or safety reasons. Staff seeks to encourage employees to take time off vs being paid out for annual leave time upon termination. Staff proposes limiting the additional rollover to one additional week (37.5 hours or 42.5 hours for employees on 85 hours/14 days law enforcement schedule). Employees will only have until June 30, 2021 (FY 2020/2021) to use the additional rollover annual leave. On July 1, 2021 all additional rollover leave not used by the employee will be removed and/or not eligible for use by the employee. The normal rollover annual limit cutoff is 45 days. All employees who earn annual leave accrue at least two weeks of annual leave during a year. This is one reason staff proposes a limit of one week of additional annual leave rollover.

### Attachments:

1. Annual Leave Policy (page 29 Employee Handbook)
2. Exception to Vacation Carryover due to COVID: Foundation Community- Plan Sponsors
3. Email from Lexington County
4. Email from City of Columbia

Attachment 1

**Annual Leave Policy (page 29 Employee Handbook)**

## Holidays and Leave

### Annual Leave

The County strives to support the wellbeing of eligible employees by providing the opportunity to accrue and take accrued annual leave. The County encourages all employees with accrued annual leave to take approved vacation annually. Annual leave is a benefit, not a right, that must be accrued.

Regular full-time employees accrue annual leave as follows:

75- hour Work Schedule	Hours Accrued Per Pay Period	Hours Accrued Per Year
0 - 5 years	2.89	75
6 - 10 years	4.33	112.5
11 or more years	5.77	150

85-hour Work Schedule	Hours Accrued Per Pay Period	Hours Accrued Per Year
0 - 5 years	3.27	85
6 - 10 years	4.90	127.5
11 or more years	6.54	170

An employee must request and receive prior approval from his/her supervisor or Department Head in order to utilize accrued annual leave. Annual leave may not be used during new hire probationary period unless approved (in writing) by the Department Head.

Under normal circumstances, annual leave should be requested by the employee in writing well in advance of the date that the leave is scheduled, or as prescribed by Department procedures. Annual leaves will be scheduled as much as practical in accordance with employee requests. The County's workload demands, however, are paramount.

When more employees request particular days off than can be accommodated, supervisors will make annual leave assignments taking into account the date the requests were made, special needs for particular annual leave dates, and the employees' lengths of service.

**The maximum number of annual leave days that can be accumulated and carried over from year to year is 45.**

An employee who has completed his/her new hire probationary period and who is terminated shall be compensated in a lump sum for the balance remaining of his/her accrued annual leave at the time his/her final check is cut, unless the reason for termination is gross misconduct or resigning or retiring to avoid termination. This lump sum will be minus any funds the employee has authorized in writing for the County to deduct and will not exceed forty-five (45) days. No employee on annual leave at the time of termination of employment shall accrue any leave credit after the last day of work.

Attachment 2

**Exception to Vacation Carryover due to COVID: Foundation  
Community- Plan Sponsors**



# Foundation Community - Plan Sponsors

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[Discussion 4.1K](#)

[Library 69](#)

[Participants 5.7K](#)

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## Exception to Vacation Carryover due to COVID

[Follow](#) ☆



**Paula Krupa** 9 days ago

Current salaried vacation plan does not permit carryover and during pandemic, have been encouraging ...

### 1. Exception to Vacation Carryover due to COVID

0

[Recommend](#)



Paula Krupa

Posted 9 days ago

[Reply](#)

Current salaried vacation plan does not permit carryover and during pandemic, have been encouraging colleagues to plan and take vacation time as well as provided ideas on what to use the time for during the pandemic.

We have started bringing back 60% of our workforce, split into 2 teams, working in the office every other week and on opposite weeks; continuing to work remotely. Current policy does not permit rollover for our salaried exempt workforce.



Is anyone making exceptions to their vacation rollover policies?

-----  
Paula Krupa CEBS  
Archer Daniels Midland  
-----

2. RE: Exception to Vacation Carryover due to COVID

0 Recommend



Samantha Brown

Posted 2 days ago

Reply ▼

Hi Paula. We are making an exception for 2021. Normally, employees can rollover 10 PTO days into the next year, but for 2021, we are allowing 15 rollover days. I think the employees will appreciate an exception.

-----  
Samantha Brown  
-----

► Original Message

3. RE: Exception to Vacation Carryover due to COVID

0 Recommend



Hope Mitchell

Posted 2 days ago

Reply



Hi Paula

We have extended our use it or loss it date from 9/30/20 to 3/31/21. This has been greatly appreciated by many employees.

Hope

-----  
Hope Mitchell  
City of Winter Park  
-----

[➤ Original Message](#)

#### 4. RE: Exception to Vacation Carryover due to COVID

0 Recommend



Luran Beebe

Posted 21 hours ago

Reply ▼

We are allowing an additional 80 hours to carryover from 2020 to 2021 and an additional 40 hours to carryover from 2021 to 2022.

-----  
Luran Beebe  
Human Resources Manager  
City of Scottsdale  
-----

[➤ Original Message](#)

Attachment 3

**Email from Lexington County**

## MELANIE COVINGTON

---

**From:** Wilkerson, Dana <DWilkerson@lex-co.com>  
**Sent:** Tuesday, October 6, 2020 12:35 PM  
**To:** DWIGHT HANNA  
**Cc:** MELANIE COVINGTON  
**Subject:** RE: [External] Annual Leave & Sick Leave - COVID19

Hi Dwight!

I hope all is well. We are not currently considering any modifications to our current policies regarding leave or rollover limits.

Let me know where you land on this topic.

I am wondering if there will be a Federal decision to amend the Emergency Paid Sick Leave requirements.

Dana

### *Dana J. Wilkerson*

Deputy Director of Human Resources  
County of Lexington  
212 South Lake Drive, Suite 604  
Lexington, SC 29072  
Office (803) 785-8156  
Cell (803) 223-5599  
Fax (803) 785-8379  
[dwilkerson@lex-co.com](mailto:dwilkerson@lex-co.com)

---

**From:** DWIGHT HANNA <HANNA.DWIGHT@richlandcountysc.gov>  
**Sent:** Tuesday, October 6, 2020 12:31 PM  
**To:** Wilkerson, Dana <DWilkerson@lex-co.com>  
**Cc:** MELANIE COVINGTON <COVINGTON.MELANIE@richlandcountysc.gov>  
**Subject:** [External] Annual Leave & Sick Leave - COVID19

Good Afternoon Dana,

We are checking to see if Lexington County plans to make any changes relating to leave because of COVID-19 (i.e. increase rollover limits)?

Hope you and your family are doing well.

T. Dwight Hanna, IPMA-SCP, CCP, SHRM-SCP, CBP, ADAC  
Director of Human Resource Services Department  
Richland County Government  
2020 Hampton Street, Suite 3058  
Columbia, SC 29204  
Email: [hannad@rcgov.us](mailto:hannad@rcgov.us)  
Phone: 803.576.2111

Attachment 4

**Email from City of Columbia**

## MELANIE COVINGTON

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**From:** Benjamin, Pamela R <Pamela.Benjamin@columbiasc.gov>  
**Sent:** Tuesday, October 6, 2020 1:30 PM  
**To:** DWIGHT HANNA; Jarvis, Tiniece P  
**Cc:** MELANIE COVINGTON  
**Subject:** RE: [EXTERNAL] Annual Leave & Sick Leave - COVID19 Changes

That is a good question! I think that we definitely will have to...



**Pamela R. Benjamin, CPM**

Chief of Staff  
City Administration

1737 Main Street, Columbia SC 29201

Phone: 803-545-3095  
[prbenjamin@columbiasc.net](mailto:prbenjamin@columbiasc.net)

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**From:** DWIGHT HANNA [mailto:HANNA.DWIGHT@richlandcountysc.gov]  
**Sent:** Tuesday, October 6, 2020 12:28 PM  
**To:** Benjamin, Pamela R <Pamela.Benjamin@columbiasc.gov>  
**Cc:** MELANIE COVINGTON <COVINGTON.MELANIE@richlandcountysc.gov>  
**Subject:** [EXTERNAL] Annual Leave & Sick Leave - COVID19 Changes

**\*WARNING\*:** Use caution with links and documents in emails referencing the **Coronavirus** situation. Malicious actors have been using this situation as an opportunity to take advantage of users.

**CAUTION:** This email originated outside of the organization. Do not click links or open attachments from unknown senders or suspicious emails. Never enter a username or password on a site that you did not knowingly access.

Good Afternoon Ms. Benjamin,

Will hte City be making any changes to your leave policies (i.e. rollover maximum) because of COVID-19?

T. Dwight Hanna, IPMA-SCP, CCP, SHRM-SCP, CBP, ADAC  
Director of Human Resource Services Department  
Richland County Government  
2020 Hampton Street, Suite 3058  
Columbia, SC 29204  
Email: [hannad@rcgov.us](mailto:hannad@rcgov.us)  
Phone: 803.576.2111  
Fax: 803.576.2119

*"Really listening and suspending one's own judgement is necessary*

*in order to understand other people on their own terms....*



**Agenda Briefing**

**Prepared by:** T. Dwight Hanna, Director  
**Department:** Human Resource Services  
**Date Prepared:** October 06, 2020 **Meeting Date:** October 27, 2020

<b>Legal Review</b>	Elizabeth McLean via email	<b>Date:</b>	October 14, 2020
<b>Budget Review</b>	James Hayes via email	<b>Date:</b>	October 13, 2020
<b>Finance Review</b>	Stacey Hamm via email	<b>Date:</b>	October 13, 2020
<b>Approved for Consideration:</b>	County Administrator	Leonardo Brown, MBA, CPM	
<b>Committee</b>	Administration & Finance		
<b>Subject:</b>	Sick Leave		

**Recommended Action:**

Permit employees on new hire probation to use sick leave in accordance with County procedure and department approval. This will enable employees on new hire probation to use sick leave for COVID-19 or other policy reasons with approval by their department. The proposed change will neither increase the County’s sick leave accrual rate nor the County’s leave liability at pay out.

**Motion Requested:**

Delete “only Regular, full-time employees accrue sick leave”, on page 30 of the Employee Handbook.

**Request for Council Reconsideration:**  Yes

**Fiscal Impact:**

There will be no fiscal impact unless the department assigns additional work hours to non-exempt employees and/or hires additional personnel while employee(s) is on sick leave.

**Motion of Origin:**

There is no associated Council motion of origin.

<b>Council Member</b>	
<b>Meeting</b>	
<b>Date</b>	

**Discussion:**

Each department and new hire employee needs to have the ability and accountability to use accrued sick leave with proper approval and policy compliance. It is possible there will be a need because of COVID-19. Regardless, an employee during the new hire probation period should be able to use their accrued sick leave within County policy and department approval.

**Attachments:**

1. Employee Handbook (page 30)



Attachment 1

**Employee Handbook (page 30)**

## Holidays and Leave

### Sick Leave

The County strives to support the wellbeing of eligible employees by providing the opportunity to accrue and take accrued sick leave. Sick leave is a privilege granted by the County, not a right. The County strives to provide employees with sufficient paid sick leave. Sick leave may be approved for the following reasons:

- Illness, injury, or disability of the employee.
- Obtaining professional services from a health practitioner for treatments for which arrangements cannot reasonably be scheduled outside of working hours.
- Illness, injury, or disability of an employee's immediate family member (up to a maximum of six (6) days of sick leave per year).

Employees may be required to submit a physician's statement before being eligible for sick leave payment. A physician's statement will be required if the employee is absent from work for 3 or more consecutive days and/or where the employee has previously been counseled or disciplined for excessive use or abuse of sick leave. In some circumstances, employees may be required to provide certification from their physician that they are able return to work before being allowed to return to work. Abuse of leave or failure to call in as required may result in denial of paid sick leave.

**Only Regular, full-time employees accrue sick leave, and they may carry over a maximum number of hours as follows:**

Work Schedule	Hours Accrued Per Pay Period	Hours Accrued Per Year	Maximum Accrual Limitation
75-hour work schedule	3.46	90	675
85-hour work schedule	3.93	102	765

Employees are required to contact their supervisor as soon as possible prior to the start of work, (no later than two [2] hours after the start of the work shift) when requesting an absence unless other arrangements have been made with the supervisor.

An employee who has accrued at least 150 or more sick leave hours (170 for 85-hour/14-day work schedules) and who resigns or retires voluntarily, will, at the time of his/her separation (providing employee gives and works a two-week notice and is terminated without cause), be paid for 1/4 of his/her accrued, but unused, sick leave hours (up to the maximum number of allowed hours).



**Agenda Briefing**

<b>Prepared by:</b>	Elizabeth McLean		<b>Title:</b>	Deputy County Attorney	
<b>Department:</b>	Legal	<b>Division:</b>			
<b>Date Updated:</b>	November 12, 2020	<b>Meeting Date:</b>	November 19, 2020		
<b>Budget Review</b>	James Hayes via email		<b>Date:</b>	October 14, 2020	
<b>Finance Review</b>	Stacey Hamm via email		<b>Date:</b>	October 22, 2020	
<b>Approved for consideration:</b>	County Administrator	Leonardo Brown, MBA, CPM			
<b>Committee</b>	Administration & Finance				
<b>Subject:</b>	Amending Richland County Ordinance - Chapter 2 –Inquiries and Investigations				

**STAFF’S RECOMMENDED ACTION:**

No recommendation. Council Discretion.

Request for Council Reconsideration: Yes

**FIDUCIARY:**

Are funds allocated in the department’s current fiscal year budget?		Yes		No
If no, is a budget amendment necessary?		Yes		No

There is no associated fiscal impact.

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

**COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:**

Drafted by Legal. No further comments.

**REGULATORY COMPLIANCE:**

The current ordinance is compliant. Councilmember requested amendment.

**MOTION OF ORIGIN:**

Repeal and change a portion of Richland County Ordinance Article XI, INQUIRIES AND INVESTIGATIONS, Sec. 2-652. Conduct of investigations. (a)(1), that starts with, "Commence any official investigation...".

In addition, have the Richland County Legal Department in conjunction with the Richland County lobbyist contact SC State Legislators and the South Carolina Association of Counties to request Section 4-9-660 of the South Carolina Code of Laws be repealed/changed.

<b>Council Member</b>	Bill Malinowski, District 1
<b>Meeting</b>	Special Called
<b>Date</b>	July 16, 2020

**STRATEGIC & GENERATIVE DISCUSSION:**

After discussions with Legal, Mr. Malinowski proposes to add language to section 2-652 to make it clear that a councilmember may, in his individual capacity, file a report with the appropriate law enforcement authorities as deemed necessary by that member.

**ADDITIONAL COMMENTS FOR CONSIDERATION:**

In response to the second part of the motion, Richland County does not have a current contract with a lobbyist as far as we are aware. Additionally, after speaking with SCAC, they are unable to assist with the requested action at this time.

**ATTACHMENTS:**

1. Ordinance amendment

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-20HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION; ARTICLE XI, INQUIRIES AND INVESTIGATIONS; SECTION 2-652, CONDUCT OF INVESTIGATIONS; SO AS ADD LANGUAGE.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances, Chapter 2, Administration; Article XI, Inquiries and Investigations; Section 2-652, Conduct of investigations; Subsection (a)(1) is hereby amended to read as follows:

**Sec. 2-652. Conduct of investigations.**

(a) It shall be deemed a violation of this article and of section 4-9-660 of the 1976 South Carolina Code of Laws for any member of the county council to individually do any of the following:

(1) Commence any official investigation or utilize the manpower or facilities of the county for any such official investigation without first obtaining the approval of the county council. For purposes of this article, an official investigation shall be one which is a systematic investigation, examination or official inquiry. A request for information shall not be deemed an official investigation, although council members are encouraged to make such requests through the county administrator's office. Notwithstanding the foregoing, any councilmember may, in his individual capacity as a citizen of Richland County, file a report related to county officers, employees, or official business, with the appropriate law enforcement authorities, as deemed necessary and proper by that member.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_.

RICHLAND COUNTY COUNCIL

BY: \_\_\_\_\_  
Paul Livingston, Chair

ATTEST THIS THE \_\_\_\_ DAY  
OF \_\_\_\_\_, 2020

\_\_\_\_\_  
Michelle Onley  
Clerk of Council

First Reading:

Second Reading:  
Public Hearing:  
Third Reading:

**RICHLAND COUNTY  
ADMINISTRATION**

2020 Hampton Street, Suite 4069  
Columbia, SC 29204  
803-576-2050



**Agenda Briefing**

<b>Prepared by:</b>	Clayton Voignier	<b>Title:</b>	Director
<b>Department:</b>	Community, Planning and Development	<b>Division:</b>	Conservation
<b>Date Prepared:</b>	November 02, 2020	<b>Meeting Date:</b>	November 19, 2020
<b>Legal Review</b>	Elizabeth McLean via email	<b>Date:</b>	November 06, 2020
<b>Budget Review</b>	James Hayes via email	<b>Date:</b>	November 09, 2020
<b>Finance Review</b>	Stacey Hamm via email	<b>Date:</b>	November 05, 2020
<b>Approved for consideration:</b>	Assistant County Administrator	Ashley M. Powell, Assoc. AIA, AICP	
<b>Committee</b>	Administration & Finance Committee		
<b>Subject:</b>	Motion to Restore \$37,561 to Conservation Commission Historic Grant Program		

**STAFF’S RECOMMENDED ACTION:**

The Richland County Conservation Commission (RCCC) requests to restore \$37,561 from the Richland County Conservation Commission (RCCC) biennium budget to the RCCC’s Historic Grant Program.

Request for Council Reconsideration:  Yes

**FIDUCIARY:**

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

The restoration of the \$37,561 to the RCCC’s Historic Preservation Grant Program will not increase funding for the RCCC’s overall grant program, which has remained at \$250,000 for the last 8 years. The \$250,000 is divided between two grant categories (Historic Preservation and Community Conservation) in different proportions each year. The \$37,561.00 is currently available in the approved County Council Budget for FY21.

**COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:**

**REGULATORY COMPLIANCE:**

**MOTION OF ORIGIN:**

I move to restore \$37,561 to the Richland County Conservation Program Historic Preservation Grants from the Richland County Conservation Commission Reserve Account to be allocated in the FY21 grants program.

Council Member	Allison Terracio, District 5
Meeting	County Council Regular Session
Date	October 6, 2020

**STRATEGIC & GENERATIVE DISCUSSION:**

A total of \$250,000 from the special revenue one-half mill has been allocated by RCCC each year for the past eight (8) years to fund two (2) grant programs – Community Conservation Grants and Historic Preservation Grants. Each year, the \$250,000 is divided between the two programs in varying proportion. For example, in FY20, RCCC allocated \$170,000 of the total \$250,000 to Historic Preservation Grants and \$80,000 of the total \$250,000 to Community Conservation Grants. In FY21, RCCC allocated \$207,561 of the total \$250,000 to Historic Preservation Grants and \$42,439 of the total \$250,000 to Community Conservation Grants. Thus, while the same total amount of grant funds of \$250,000 was allocated in both FY20 and FY21, the amount allocated to each grant category of award (Historic Preservation vs. Community Conservation) differed.

At the Council meeting on June 16, 2020, a motion to approve non-General Fund grants, specifically items 20-22 and 28a on the motions list, “at the lesser of the FY20 funding level or the FY21 committee recommendation funding level” was approved by County Council. This motion resulted in a reduction from the FY21 recommended amount of \$207,561 in funding available for Historic Preservation Grants to the FY20 amount of \$170,000, which is a reduction of \$37,561 or 18%. This reduced the total amount available for grant awards from \$250,000 to \$212,439, \$37,561 lower than FY20 total spending.

FY21 recipients of Historic Preservation Grants were informed of the 18% reduction to their grant awards and have reduced their proposed work to comply with the lower grant funding amounts, creating a hardship for the Historic Preservation grantees and diminishing their ability to preserve Richland County historical resources.

At the October 6, 2020 regular Session Council Meeting, a motion was made by The Honorable Allison Terracio “to restore \$37,561 to the Richland County Conservation Program Historic Preservation Grants from the Richland County Conservation Commission Reserve Account to be allocated in the FY21 grants program.”

Because the overall grant program spending has been the same for past eight (8) years, the RCCC recommends restoring the \$37,561 to the Historic Preservation Grants. However, instead of restoring the funding from the RCCC Reserve Account the funding can simply be restored from the existing Biennium Budget (FY20 and FY21) approved by County Council. This will maintain the FY20 spending level of \$250,000, will not result in an overall increase in spending from FY20 to FY21, and will not require three (3) readings and a public hearing for a budget amendment.



If this funding restoration is not approved, historical preservation efforts by the grantees will be unnecessarily hindered by the funding reduction to their preservation grants. This approval is time sensitive because the reduction in grant funds are not available to the grantees.

**ADDITIONAL COMMENTS FOR CONSIDERATION:**

**ATTACHMENTS:**

1. County Council Regular Session Minutes Reg\_06\_16\_20 RCCC budget change.pdf
2. County Council Regular Session Minutes Reg\_10\_06\_20 RCCC Budget motion.pdf



## Richland County Council

REGULAR SESSION  
June 16, 2020 – 6:00 PM  
Via Zoom Meeting

**COUNCIL MEMBERS PRESENT:** Paul Livingston, Chair; Dalhi Myers, Joyce Dickerson, Calvin “Chip” Jackson, Gwen Kennedy, Bill Malinowski, Jim Manning, Yvonne McBride, Chakisse Newton, Allison Terracio and Joe Walker

**OTHERS PRESENT:** Michelle Onley, Kimberly Williams-Roberts, Ashiya Myers, Ashley Powell, Angela Weathersby, Leonardo Brown, John Thompson, James Hayes, Michael Niermeier, Dale Welch, Kyle Holsclaw, Tiffany Harrison, Clayton Voignier, Jeff Ruble, Mike King, Randy Pruitt, Larry Smith, Jennifer Wladischkin, Dwight Hanna and Brad Farrar

1. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The Invocation was led by the Honorable Calvin Jackson
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Calvin Jackson
4. **APPROVAL OF THE MINUTES**
  - a. **Regular Session: June 2, 2020** – Ms. McBride moved, seconded by Ms. Terracio, to approve the minutes as submitted.

Mr. Walker stated, for the record, for items 5-16(a) he was dropped off of the Zoom meeting, and unable to log back in. Therefore, he was not able to vote on these items. He would like for the minutes to reflect that he was not present.

Ms. McBride moved, seconded by Mr. Walker, to approve the minutes as corrected.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Kennedy, Manning, Jackson, Myers and Newton

The vote in favor was unanimous.

- b. Special Called – Budget 3<sup>rd</sup> Reading: June 11, 2020** – Mr. Hayes stated staff is requesting clarification on four (4) items. The first deals with Mr. Jackson’s motion, which indicated, from that point forward, the items voted on would fall under the current year’s funding level. There were questions as to whether Mr. Jackson’s motion included rollover of the Conservation funding.

Mr. Jackson stated, he believes, it was established that it was not a part of his motion. His position, with regards to the rollover Hospitality Tax was stated earlier, and he does not want to rehash it. He is willing to support the will of the intent. He thought it was clear that we would not change the dollar amount for the allocations, even though the projects might be different.

Mr. Livingston stated, for clarification, Mr. Jackson's motion regarding Conservation was more so the amount.

Mr. Jackson responded in the affirmative.

Mr. Hayes stated he is not talking about the dollar amount for the committee recommendations for Conservation and Neighborhood, which is a separate question. Mr. Voignier was inquiring about some current year grants that would be rolling over. The question is, was those rollovers approved by Council. We also need clarification on whether the motion said the FY21 recommendations were to be kept at the current level or the recommended level on the motions list.

Mr. Jackson stated there was a motion by Mr. Manning to rollover the funding. He is not sure where the uncertainty is.

Mr. Manning responded his initial intention was clearly to rollover all the Hospitality Tax funding. The funding attached to the Council members, and all the funding in the current year for agencies/organizations. When discussion came about Conservation, he did not have any concern about it, but clearly his motion, and intention, at the beginning of the conversation, was about the Hospitality Tax.

Mr. Jackson stated his substitute motion, which Ms. Terracio offered a friendly amendment on, in regards to a reduction in the Council member's Hospitality Discretionary funds. He accepted the friendly amendment and suggested a 50% reduction.

Mr. Livingston stated he thought the rollover included all the grant funds. The next issue is going to be the amounts Mr. Hayes referred to.

Mr. Hayes stated, for clarification, Mr. Manning's motion took care of Hospitality Tax, and Mr. Jackson's substitute motion accepted Ms. Terracio's friendly amendment to rollover Conservation. Therefore, all grant rollovers are approved.

Mr. Jackson responded in the affirmative.

Mr. Hayes stated, for further clarification, the Council member's individual H-Tax allocations, which totals \$1,813,350, will now be reduced to \$906,675.

Ms. McBride stated Ms. Terracio's amendment was to reduce this year's Hospitality Tax discretionary funds for Council. We have rollover funds in the Hospitality Tax discretionary funds, which was a part of the rollover.

Mr. Hayes responded the \$1,813,350 will be reduced by 50% for FY21. The next clarification are in reference to items related to the General Fund (i.e. Lump Sum, Discretionary Grants, Contractual/Statutory and the Chamber of Commerce – BRAC). He stated those items will be held until Council takes up the General Fund Budget Amendment in September. Therefore, instead of notifying groups in July, the earliest groups can receive funding is either late September/early October. They wanted to verify that it was Council's intent to hold those funds until the General Fund Budget Amendment is taken up in the Fall.

Mr. Livingston responded he does not believe that was the intent. It would be October before these organizations could begin receiving their funding. He inquired if that means the fiscal year will start on July 1, but no funds would be appropriated before October.

Regular Session

June 16, 2020

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Mr. Hayes responded that is the understanding he got from reviewing the minutes. Those items would be taken, and given final decision in September. Therefore, the earliest we could make a disbursement would be late September, after Third Reading on September 17<sup>th</sup>.

Mr. Jackson stated, when he began the discussion, he was talking about making sure we did not over commit ourselves financially. Therefore, because we could not do a continuing resolution, he made a motion and asked that whatever funds were currently being received, that those funds would continue to be received until, we could get back firmer numbers in September, not that no funds would be released. No increases would be given, until we have a clearer picture, and making sure we do not overextend ourselves financially. He does not know why this is becoming so confusing tonight. From his understanding, it was simply a matter of making sure that we did not extend beyond where we are currently at, until we had hard numbers in September.

Mr. Hayes stated the Lump Sum groups FY21 amount will be higher than the 10% reduction recommended by staff. Their allocation would be based off the current year amount, at the full amount, as opposed to the reduced amount.

Mr. Livingston stated the organizations need to understand that the amounts will be revisited.

Mr. Hayes stated the Discretionary Grants Committee groups changed, but the amount did not. As it relates to the Contractual/Statutory, the CMCOG's statutory amount has to be higher, but we will keep them at the current year level until the final decision is made in the Fall.

Ms. Newton stated, when it comes to the Lump Sum Appropriations, she thought we were not approving those until after we settled the General Fund, and not disbursing funds. In fact, if we did, not only are the amounts not reduced by 10%, but it will require us to take over \$1M from the General Fund to pay for it. When she was voting, she was voting with the idea that we were not going to be disbursing those Lump Sum Appropriations until September. If the rest of Council felt differently, it still passes.

Mr. Livingston stated he thought we were doing it this way because before we review the amounts again, the groups will only be able to receive ¼ of their funding.

Mr. Hayes stated the rule is, if you are receiving less than \$25,000, you can request all of it at one time. If you receive anything greater than \$25,000, it must be disbursed quarterly.

Ms. Newton stated, for clarification, there are a lot of organizations that could request in the first quarter, before we come back to revisit the budget.

Mr. Hayes responded he does not have the list in front of him, but he believes most of the groups are above the \$25,000 funding level.

Ms. McBride stated her understanding was the same as the Chair's understanding, and that we knew there were some groups that needed the small amount of funding they would get. Then in September we would review the funding, and make the corrections, based on the status of our financial abilities.

Mr. Manning stated, for him, he understood it the way Ms. Newton understood it. However, nobody, at that time, said anything about half the funding, and half the funding. If they had said that, he would have been favorable of the way the Chair understood it. He would be in favor of giving them the first half of their money now, with them understanding there may be a 20% cut

halfway through the year. However, they would know that was coming, based on the action we take in September. He stated if there are six (6) people that agree with Chairman Livingston and Ms. McBride, then he is good to go. If a majority understands it the way he and Ms. Newton did, then before we clinch the minutes, he would like to support Mr. Livingston and Ms. McBride's understanding of the motion.

Mr. Jackson stated, you might recall, Mr. Farrar got on the line, when the question was raised, whether we could, at any point, go back and revise or amend the budget. Mr. Farrar said that we could at any time, so my understanding, based on those comments was, if we gave funds in July, and realized in September, we needed to make adjustments that we were within our legal right to do that, and we would put those agencies on notice to that effect.

Mr. Hayes stated there are some other Lump Sum groups in other funds (i.e. Stormwater and Solid Waste). It is his understanding that all groups the County gives grant funds to would be at the FY20 funding level, and will be eligible to receive those funds.

Mr. Livingston responded in the affirmative, with the understanding that Council is going to review the funding level in September.

Mr. Hayes stated, the reason that question comes up, is because you have the General Funds groups, but you also have other groups in other funds that will not be entertained in September. For clarification, is it only the General Fund groups who are being limited to the FY20 allocation, and the other agencies will receive what was recommended for FY21?

Mr. Livingston requested, for clarification, that Mr. Hayes separate the funding categories out

Mr. Hayes responded the Neighborhood Redevelopment, Conservation Commission, and Lump Sum groups that are in the following funds: Temporary Alcohol, Solid Waste and Stormwater. Those groups are non-General Fund, and they have requested amounts or committee approved amounts for FY21. He wants to ensure it is Council's intent for these groups to receive the committee's recommendations, or what they requested, for FY21, since they are not General Fund related.

Ms. McBride stated we are holding everything at FY20.

Mr. Livingston responded part of the problem is that we cannot hold everything at FY20 because some things are different.

Ms. McBride inquired how the ones that are different got on the motions list.

Mr. Hayes responded the Conservation Grants and Neighborhood Redevelopment are one-year grants, so that is why voted on millage agencies and grants. Grants are not a part of the two-year allocation. All we need to do is clarify Council's intent for non-General Fund groups.

Ms. McBride stated, for clarification, it would have to be the FY21 amount, but the total budget amount, for those categories, were from FY20.

Mr. Hayes responded Council voted on the Conservation Commission and Neighborhood Redevelopment's total budgets, so the budget amounts will not change. The amount of the committee's recommendations did change.

Mr. Walker inquired if we need to reconsider this matter.

Regular Session

June 16, 2020

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Mr. Livingston responded right now we are trying to clarify the motion. It may require reconsideration, but there is nothing to reconsider if we are not clear on it.

Ms. McBride inquired as to what Mr. Hayes's interpretation of the motion was.

Mr. Hayes responded he was under the impression that Council was approving FY21 for the non-General Fund amounts, at the FY21 amounts versus FY20 amount, because they were non-General Fund related.

Mr. Walker stated, for him, and the way he was voting, his intent would have been that these entities, as outlined by Mr. Hayes, are funded at the lesser of the FY20 amount or the FY21 recommended amount, until September, at which point we will have a better forecast. If that needs to come forward as a reconsideration of the previous item, and to make a new motion, he is willing to put that forward, but only if it is the will of the body.

Mr. Livingston noted we were moving okay until we got to the non-General Fund items. We were in agreement with the other items. The intent was to move forward at last year's amount, with the understanding that we would revisit it in September.

Mr. Hayes stated everything related to the General Fund will remain at FY20, but he needs clarification on the non-General Fund items.

Mr. Livingston stated, if someone wants to reconsider that portion of the minutes, regarding the non-General Fund items, he will accept that motion, since there is no clarity on that.

Ms. Terracio requested, for clarity, could staff direct Council to the page of the minutes that we are considering.

Mr. Hayes responded it is Items 20 - 22 and 26 – 28(a).

Ms. Terracio stated, for clarification, these items are not General Fund items.

Mr. Hayes responded in the affirmative.

Ms. Terracio inquired what fund(s) are these items.

Mr. Hayes responded they are Conservation Grants, Solid Waste Enterprise Funds, Stormwater and Temporary Alcohol Funds.

Mr. Walker moved, seconded by Mr. Jackson, to reconsider Items 20-22 and 26-28(a) on the aforementioned minutes.

Mr. Malinowski inquired, if we do not reconsider these items, what are Mr. Hayes' plans for these groups.

Mr. Hayes responded if your intent is for us to keep all items at the current FY20 level, for General Fund, and non-General Fund, until you revisit it.

Ms. McBride stated, whatever Mr. Hayes' understanding of the intent was, is what we should be proceeding with.

Ms. D. Myers suggested, given the level of confusion, that we take up the motion and clarify what instruction we would like to give the staff. She is not sure that Mr. Hayes can define what it is we intend, which is why he brought the question back.

Mr. Manning stated, he understands the question about intention, but he thinks Mr. Malinowski has asked a good question, and a clear question. Not what does anybody think anybody's intention is, was, or might be. The question is, if we do nothing at this point, but approve the minutes, as they are presented, what action would Mr. Hayes take.

Mr. Hayes stated that is the whole point. He needed clarification of what the intent of Council was. He is not in the position to do anything without knowing what the intent of Council was. What he is unclear on is what Council would like to do with the non-General Fund items.

Mr. Manning stated, if we pass this tonight, there will be no action taken.

Mr. Hayes responded he would not want to go forward in an area, which he is not sure what the will of Council is.

Ms. McBride inquired if Mr. Walker made a motion.

Mr. Walker responded he made a motion for reconsideration because it is abundantly evident that staff needs further direction, and clarification, on the will of Council. He thinks it unfair to attack a staff member, and try to deduce what they think, or interpret the will of this body is, when they have clearly come to us and said they need further clarification.

Ms. McBride inquired how reconsidering these items help Mr. Hayes.

Mr. Livingston responded, once we reconsider the items, we will take a vote on it, and the vote will clarify the intent.

Mr. Walker noted, if you vote to reconsider these items, it will open the door to put a new, clean motion on the table.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Kennedy, Manning, Jackson, Myers and Newton

The vote in favor of reconsideration was unanimous.

Mr. Walker moved, seconded Ms. Terracio, to approve Items 20-22 and 26-28(a) at the lesser of the FY20, or the FY21 committee recommended funding level.

Mr. Jackson inquired if Mr. Hayes is clear on the motion on the floor.

Mr. Hayes responded he is clear on the motion.

Ms. Dickerson requested clarification on Mr. Walker's motion.

Mr. Livingston responded the motion is to fund the items at the lesser of the two (2) years.

Ms. Dickerson inquired about what amount that would equate to.

Mr. Hayes responded for the Community Conservation Grants the amount approved for FY20 was \$80,000. The amount on the motions list was \$40,439, so the FY21 recommended amount is less than the FY20 amount.

Ms. D. Myers requested Mr. Hayes to provide the areas where there is great discrepancies.

Mr. Hayes stated he would not have that level of detail. Those details would have to come from Mr. Voignier.

Mr. Voignier responded there would be a discrepancy with the Historic Preservation Grants. Because of the lower amount that was recommended for the Community Conservation Grants for FY21, the FY20 amount was \$170,000, whereas the FY21 amount is \$207,000. There would not be a huge discrepancy in regards to the Neighborhood Redevelopment Fund. Last year's funding was \$80,000, and this year's is \$77,000.

Mr. Livingston inquired as to staff's recommendations on these non-General Fund items.

Mr. Voignier responded staff's recommendations were based on the committee's recommendations.

Mr. Livingston made a substitute motion, seconded by Mr. Manning, to move forward with staff's recommendations for the non-General Fund items.

**POINT OF CLARIFICATION** – Mr. Walker stated, as he understood Mr. Voignier, he believes the substitute motion created some redundancy. He believes Mr. Voignier said the FY21 committee recommendations are in concert with the FY21 staff recommendations.

Mr. Voignier responded what the committees recommended, internally, is what was put forward on the motions list, and would be staff's recommendation.

Mr. Livingston stated Mr. Walker's motion would be either FY20 or FY21 funding amounts. Some of those would not be the staff's recommendations.

Mr. Walker stated, for clarification, the substitute motion removes the lesser of FY20 or staff's recommendation.

Mr. Livingston responded he was moving the staff's recommendations forward. The amounts may be higher or lower, but whatever staff's recommendation was because he does not know the impact of the numbers like staff does.

Mr. Malinowski inquired as to when the recommendations were made by the committee(s).

Mr. Voignier responded he believes it was during the yearly grant review process that takes place in the February timeframe.

Mr. Malinowski noted we have committee recommendations that took place in February, prior to us getting into the current situation where we are requesting everyone to make cuts. If they had been in the situation, those amounts would likely not be the committee recommendations, nor staff's recommendations. He believes it is only fair, since we have asked all other agencies to take these cuts that they also take a cut in funding, and take the lesser of the two, as mentioned in Mr. Walker's motion.



Ms. Terracio inquired if these items would be subject to consideration in the Fall.

Mr. Livingston responded that is what he thought the intent of the original motion was, and would be the intent of his substitute motion.

Mr. Malinowski requested a response from Mr. Voignier about whether staff usually takes the committee recommendation, and if so, if the recommendation had come later in the year would they have taken that recommendation.

Mr. Voignier responded in the affirmative.

In Favor: Dickerson, McBride, Livingston, Kennedy and Manning

Opposed: Malinowski, Terracio, Walker, Jackson, Myers and Newton

The substitute motion.

In Favor: Malinowski, Terracio, Walker, Jackson, Myers and Newton

Opposed: Dickerson, McBride, Livingston, Kennedy and Manning

The vote was in favor.

Mr. Livingston noted the following corrections to the minutes:

1. Page 7 – Columbia Museum of Art - \$890,972; Total amount for ordinance agencies is \$1,921,186
2. Page 19 – River Alliance - \$55,000

Ms. Newton requested that her vote on p. 13 of the minutes reflect she was opposed to Mr. Jackson's motion.

Mr. Manning moved, seconded by Ms. Dickerson, to approve the minutes as amended.

Mr. Malinowski noted on p. 13 that Mr. Brown's response to Mr. Walker's question was not recorded, and should be added.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Kennedy, Manning, Jackson, Myers and Newton

The vote in favor was unanimous.

5. **ADOPTION OF THE AGENDA** – Mr. Manning moved, seconded by Mr. Walker, to adopt the agenda as published.

Ms. Newton requested the Report of the Employee Evaluation Ad Hoc Committee be added to the agenda.

Mr. Livingston noted Items 13(b) and 14(a): "Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain property located in Richland County; the execution and delivery of a Public Infrastructure Credit Agreement to provide for public

Regular Session

June 16, 2020

8

**22. MOTION PERIOD**

- a. I move to restore \$37,561 to the Richland County Conservation Program Historic Preservation Grants from the Richland County Conservation Commission Reserve Account to be allocated in the FY21 grants program [TERRACIO] – This item was referred to A&F Committee.
- b. A Resolution in support of F-35 Joint Strike Fighter Basing at McEntire Joint National Guard Base [NEWTON] – Ms. Newton moved, seconded by Mr. Manning, to unanimously adopt the resolution and present it at the October 20<sup>th</sup> Council meeting.
- In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Manning, Myers and Newton
- Not Present: Kennedy
- The vote in favor was unanimous.
- c. Move to remit the \$300,000 private donation (negotiated by Councilwoman Dalhi Myers and Councilman Chip Jackson) earmarked for the Taylors Community to Richland County Parks & Recreation under an IGA, to be designated as funding for the Taylors Community Park, promised and fully funded, as part of an Economic Development plan for the Reign Community on Shop Road before December 31, 2020. These funds were donated beginning in 2017 prior to the construction of the 2,000 bed new Reign Community, which is now complete. RC staff has not begun planning or construction on the fully funded park [MYERS] – This item was referred to the A&F Committee.
- d. Move to engage a third-party design-build company to begin work on the \$2M SE Richland County multi-purpose facility, as approved by Council in 2018. The funds were earmarked and approved, but RC staff has not undertaken any planning or construction of the Council-approved project by the end of November 2020 [MYERS] – This item was referred to the A&F Committee.
- e. Move to engage a third-party consultant to undertake work on Richland Renaissance, which was approved 11-0 by this Council in early 2019. Staff has chosen to postpone this Council-approved project, which would alleviate serious facility constraints and result in savings over time, as the County would not spend money on short-term repairs, but on long-term needed facilities planning and construction [MYERS] – This item was referred to the Richland Renaissance Ad Hoc Committee.
- f. I move to amend the Public Nuisance Ordinance to define “Public Places/Establishments” to include restaurants, taverns, lodges, parking lots, and public places where children or students attend and/or normally congregate [DICKERSON] – This item was referred to the Rules & Appointments Committee.

23. **ADJOURNMENT** – The meeting adjourned at approximately 9:00 PM.



**Agenda Briefing**

<b>Prepared by:</b>	Clayton Voignier	<b>Title:</b>	Director
<b>Department:</b>	Community Planning & Development	<b>Division:</b>	Planning Services
<b>Date Prepared:</b>	October 30, 2020	<b>Meeting Date:</b>	November 19, 2020
<b>Legal Review</b>	Elizabeth McLean via email	<b>Date:</b>	November 06, 2020
<b>Budget Review</b>	James Hayes via email	<b>Date:</b>	November 05, 2020
<b>Finance Review</b>	Stacey Hamm via email	<b>Date:</b>	November 05, 2020
<b>Approved for consideration:</b>	Assistant County Administrator	Ashley M. Powell, Assoc. AIA, AICP	
<b>Committee</b>	Administration & Finance		
<b>Subject:</b>	Taylors Community Park Funds		

**STAFF’S RECOMMENDED ACTION:**

Staff does not have a recommendation for this item; Council discretion.

Request for Council Reconsideration: Yes

**FIDUCIARY:**

Are funds allocated in the department’s current fiscal year budget?		Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?		Yes	<input checked="" type="checkbox"/>	No

There are currently no funds dedicated to this project in the department’s budget. An amendment would not be necessary to facilitate the request where, if approved per the requested motion, the funds would be allocated to Richland County Recreation Commission for completion of the project.

The \$300,000 private donation should generally cover planning, construction, and other costs associated with a park’s development. Additional costs for recurring maintenance to the park would occur. Normally, RCRC has assumed maintenance costs per a Memorandum of Understanding (MOU). Likewise, depending on the site for the park, there may be costs associated with property acquisition, whereby the \$300,000 may not be adequate to cover all development expenses and additional funds would be required.

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

On June 19, 2018, the County entered into an Infrastructure Credit Agreement with Project Reign (Reign Living, LLC) for the purpose of assisting in paying the costs of certain infrastructure related to the establishment of a commercial apartment complex within the County. Additionally, there was a secondary agreement around a private donation by which there were to be three payments of \$100,000 due in January starting in 2019, of which two of three have been received. The payments were posted to Miscellaneous Revenue in Neighborhood Redevelopment (1210650000). The nature of the agreement made to facilitate transfer of funds to the County for this park project remains unclear.

**COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:**

**REGULATORY COMPLIANCE:**

**MOTION OF ORIGIN:**

Move to remit the \$300,000 private donation (negotiated by Councilwoman Dalhi Myers and Councilman Chip Jackson) earmarked for the Taylors Community to Richland County Parks & Recreation under an IGA, to be designated as funding for the Taylor’s Community Park, promised and fully funded, as part of an Economic Development plan for the Reign Community on Shop Road before December 31, 2020. These funds were donated beginning in 2017 prior to the construction of the 2,000 bed new Reign Community, which is now complete. RC staff has not begun planning or construction on the fully funded park.

Council Member	Dalhi Myers, District 10
Meeting	Regular Called Meeting
Date	October 6, 2020

**STRATEGIC & GENERATIVE DISCUSSION:**

Staff was unable to locate Council action that either acknowledged the private donation or gave staff subsequent direction to move this project forward.

Richland County Recreation Commission (RCRC) generally implements park projects undertaken by the County. Staff is currently hosting discussions with RCRC on facilitating the development of parks at various locations in the County through MOUs for each park. As presented in the motion, staff suggests following this same process, i.e., establishing an MOU rather than an IGA to facilitate the development of any requested park.

Additional information is required for adequately facilitating any request to construct a park, such as site location, features, amenities, and programming elements. As such, the timeframe in completing this request by the end of the calendar year, per the original motion, may not be feasible, as staff would need additional time to determine these details and obtain approvals for any agreement drafted.

The current amount of funding indicated would generally be sufficient to construct a park, depending on the scope of amenities and/or facilities included. Staff is unaware of any identified site, and as such, a site would need to be determined as part of the construction process. Depending on the site chosen, there is the likelihood of incurring acquisition costs. Any acquisition costs would likely diminish the available funding to construct a suitable park, requiring supplemental funds from an additional source.

**ADDITIONAL COMMENTS FOR CONSIDERATION:**

**ATTACHMENTS:**

1. October 6, 2020 Council Meeting Minutes
2. March 5, 2020 Email Correspondence Re: Follow up-Housing Concerns
3. February 26, 2020 Memorandum Re: Request for Information Atlas Road Park and Taylors Community Park
4. January 15, 2019 Correspondence and Copy of Check from William R. Johnson
5. Reign Living LLC Infrastructure Credit Agreement

22. **MOTION PERIOD**

- a. I move to restore \$37,561 to the Richland County Conservation Program Historic Preservation Grants from the Richland County Conservation Commission Reserve Account to be allocated in the FY21 grants program [TERRACIO] – This item was referred to A&F Committee.
- b. A Resolution in support of F-35 Joint Strike Fighter Basing at McEntire Joint National Guard Base [NEWTON] – Ms. Newton moved, seconded by Mr. Manning, to unanimously adopt the resolution and present it at the October 20<sup>th</sup> Council meeting.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Manning, Myers and Newton

Not Present: Kennedy

The vote in favor was unanimous.

- c. Move to remit the \$300,000 private donation (negotiated by Councilwoman Dalhi Myers and Councilman Chip Jackson) earmarked for the Taylors Community to Richland County Parks & Recreation under an IGA, to be designated as funding for the Taylors Community Park, promised and fully funded, as part of an Economic Development plan for the Reign Community on Shop Road before December 31, 2020. These funds were donated beginning in 2017 prior to the construction of the 2,000 bed new Reign Community, which is now complete. RC staff has not begun planning or construction on the fully funded park [MYERS] – This item was referred to the A&F Committee.
- d. Move to engage a third-party design-build company to begin work on the \$2M SE Richland County multi-purpose facility, as approved by Council in 2018. The funds were earmarked and approved, but RC staff has not undertaken any planning or construction of the Council-approved project by the end of November 2020 [MYERS] – This item was referred to the A&F Committee.
- e. Move to engage a third-party consultant to undertake work on Richland Renaissance, which was approved 11-0 by this Council in early 2019. Staff has chosen to postpone this Council-approved project, which would alleviate serious facility constraints and result in savings over time, as the County would not spend money on short-term repairs, but on long-term needed facilities planning and construction [MYERS] – This item was referred to the Richland Renaissance Ad Hoc Committee.
- f. I move to amend the Public Nuisance Ordinance to define “Public Places/Establishments” to include restaurants, taverns, lodges, parking lots, and public places where children or students attend and/or normally congregate [DICKERSON] – This item was referred to the Rules & Appointments Committee.

23. **ADJOURNMENT** – The meeting adjourned at approximately 9:00 PM.

**From:** [ASHLEY POWELL](#)  
**To:** [LEONARDO BROWN](#)  
**Subject:** FW: Follow up-Housing Concerns  
**Date:** Thursday, March 5, 2020 1:12:32 PM  
**Attachments:** [Memo Request for Information Atlas Road and Taylor Community Parks Feb 26 2020.docx](#)  
[Memo Request for Information Atlas Road and Taylor Community Parks Feb 26 2020.pdf](#)  
[Memo Attachments reduced pages.pdf](#)

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Good afternoon, Administrator Brown.

Please see attached and below relative to Council action on the parks Councilwoman Myers referenced in her correspondence.

Thank you,

**Ashley M. Powell, Assoc. AIA, AICP**

Assistant County Administrator  
Richland County Government  
County Administrator's Office  
803-576-3584  
[powell.ashley@richlandcountysc.gov](mailto:powell.ashley@richlandcountysc.gov)

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**From:** CLAYTON VOIGNIER <VOIGNIER.CLAYTON@richlandcountysc.gov>  
**Sent:** Thursday, February 27, 2020 4:19 PM  
**To:** ASHLEY POWELL <POWELL.ASHLEY@richlandcountysc.gov>  
**Subject:** RE: Follow up-Housing Concerns

Good afternoon, Ashley,

After some considerable research, my staff were not able to find any Council or staff action related to the Taylor's Park project. Please see the attached memo with supporting documentation regarding the timeline of Council and staff action for Atlas Road Park.

The current status of the environmental assessment is that we are awaiting the acceptance of the bid by Summit Engineering.

Also, although staff did conduct an RFQ for design work, no vendors were qualified because the current plan is for RCRC to develop their own designs and invoice us for the work. The land is owned by the neighborhood association.

Please let me know if you have any questions or concerns.

Thank you,

**Clayton Voignier, CCEP, CGAP**

Director

Richland County Government

Community Planning & Development

803-576-2168

[voignier.clayton@richlandcountysc.gov](mailto:voignier.clayton@richlandcountysc.gov)

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**From:** ASHLEY POWELL <[POWELL.ASHLEY@richlandcountysc.gov](mailto:POWELL.ASHLEY@richlandcountysc.gov)>

**Sent:** Wednesday, February 19, 2020 5:19 PM

**To:** CLAYTON VOIGNIER <[VOIGNIER.CLAYTON@richlandcountysc.gov](mailto:VOIGNIER.CLAYTON@richlandcountysc.gov)>

**Subject:** FW: Follow up-Housing Concerns

Good evening, Clayton.

Please have Lauren, or whomever you deem appropriate, perform the requisite research to provide a comprehensive timeline of Council action on the two parks listed in Councilwoman Myers' below correspondence.

I am particularly interested in the following:

- If either of these projects were vetted by full Council;
- When; and
- What the terms/specifics of the action taken by Council were

It would be extremely helpful if staff could build in any staff action taken on this same timeline but given that you and several key members of your team are relatively new, I recognize that it might be difficult to do that and/or there may be some gaps in our knowledge. That is fine.

I would like this as soon as possible. Please let me know what would be a reasonable expectation as far as turnaround on this deliverable.

Thank you,

**Ashley M. Powell, Assoc. AIA, AICP**

Assistant County Administrator

Richland County Government

County Administrator's Office

803-576-3584

[powell.ashley@richlandcountysc.gov](mailto:powell.ashley@richlandcountysc.gov)



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**From:** ASHLEY POWELL  
**Sent:** Thursday, January 30, 2020 10:52 AM  
**To:** 'dalhi31@gmail.com' <[dalhi31@gmail.com](mailto:dalhi31@gmail.com)>; CLAYTON VOIGNIER <[VOIGNIER.CLAYTON@richlandcountysc.gov](mailto:VOIGNIER.CLAYTON@richlandcountysc.gov)>  
**Cc:** LEONARDO BROWN <[BROWN.LEONARDO@richlandcountysc.gov](mailto:BROWN.LEONARDO@richlandcountysc.gov)>; Dalhi Myers <[dmyers@richlandcountysc.gov](mailto:dmyers@richlandcountysc.gov)>  
**Subject:** RE: Follow up-Housing Concerns

Good morning, Vice Chair Myers.

In response to the below:

1. If my team inadvertently missed someone we said we'd contact, I take full responsibility for our having done so and I would like to take steps to rectify this immediately. To do so, I will need to know to whom are you referring when you say one has yet to be contacted.
2. As a part of the restructured SFHRP under myself and Director Voignier, customer satisfaction is factored into contractors being able to bid for and work on additional jobs. As such, we have been tracking this since Council was last briefed and I have yet to see less than a four (4) out of five (5) in customer satisfaction. If you would please provide names of individuals with concerns, I would like to do some research in advance of our meeting, to make the most efficient use of all of our time, and personally follow up with these individuals.
3. It was my understanding from our last conversation that we were to pursue an MOU with RCRC that would allow them to take the lead on our park planning. Mine and Ms. Watson's teams are meeting on February 4 for this reason. If you prefer to pursue an outside entity specialized in park planning, we can certainly discuss it, propose options and put it before Council.
4. I am unaware of any facility associated with the Historic Trail beyond the trail itself. Per my most recent update from Budget on 11.18.2019, there is funding in the amount of \$1,156,177 for the Historical Trail and an additional \$2M, originally approved by Council in FY18 for a multi-purpose building, which will remit back to the H-Tax Fund Balance.

I am happy to meet and discuss the above in greater detail but thought some context might be helpful in preparing for further discussion(s).

Prior to Thursday, February 6, my morning availability is as follows below:

- Tuesday, February 4, 2020; 8:30am – 10:00am
- Wednesday, February 5, 2020; 8:30am – 11:00am

Looking at Director Voignier's calendar, Wednesday would work better for him but I believe he could make Tuesday work.

Please let us know if any of the above dates/times work for you.

Administrator Brown, if your schedule allows, I think it would be helpful for you to join us as well.

As an aside, myself and other staff are having trouble getting email replies through to your 'dmyers@myersbusinesslawyers.com' account. I wanted to mention this in case you're not getting responses on some things as that may be why.

Thank you,

**Ashley M. Powell, Assoc. AIA, AICP**

Assistant County Administrator  
Richland County Government  
County Administrator's Office  
[powell.ashley@richlandcountysc.gov](mailto:powell.ashley@richlandcountysc.gov)

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-----Original Message-----

From: Dalhi Myers <[dalhi31@gmail.com](mailto:dalhi31@gmail.com)> On Behalf Of Dalhi Myers  
Sent: Thursday, January 30, 2020 7:59 AM  
To: ASHLEY POWELL <[POWELL.ASHLEY@richlandcountysc.gov](mailto:POWELL.ASHLEY@richlandcountysc.gov)>; CLAYTON VOIGNIER <[VOIGNIER.CLAYTON@richlandcountysc.gov](mailto:VOIGNIER.CLAYTON@richlandcountysc.gov)>  
Cc: LEONARDO BROWN <[BROWN.LEONARDO@richlandcountysc.gov](mailto:BROWN.LEONARDO@richlandcountysc.gov)>; Dalhi Myers <[dmyers@richlandcountysc.gov](mailto:dmyers@richlandcountysc.gov)>  
Subject: Follow up-Housing Concerns

Good morning, ACA Powell and Director Voignier. Hope all is well. I wanted to get on your calendars next week to follow up on several items:

1. Seniors you were to contact about their need for assistance with home repairs (3- one says she still has not been contacted);
2. The quality of flood repairs and concerns being raised by flood victims (some of whom have reported repairs with second hand/reclaimed materials);
3. Potential to

use third party management company to undertake planning work on Atlas Road Community Park and/or Taylors Community Park; and 4. Lower Richland Historic Trail facility and funds.

Thanks so much. Early mornings are best for me. It would be helpful if we could meet before Thursday.

Thanks so much.

Be well.

Dalhi

Sent from my wireless handheld device. Please excuse any grammatical errors. DM

**RICHLAND COUNTY  
COMMUNITY PLANNING & DEVELOPMENT**

2020 Hampton Street  
Columbia, SC 29204



**MEMORANDUM**

**To** Clayton Voignier, Director, Community Planning & Development Department

**CC** Tommy Delage, Planning Services Manager; Denise Teasdell, Manager of Housing

**From** Brian Crooks, Comprehensive Planner; Jocelyn Jennings, Community Development Coordinator

**Date** February 26, 2020

**Subject** Request for Information: Atlas Road Park and Taylors Community Park

This memorandum serves as a response to the request for information regarding the Atlas Road Community Park and Taylors Community Park. Per the request, staff has put together a timeline of Council action regarding the two projects. The timeline includes the dates Council took up items, at Committee or full Council, that involve the park projects and any actions on those items. Additionally, staff actions related to the projects are interspersed within the timeline. **In researching actions and information on the two projects, staff did not find information regarding the Taylors Community Park, either by Council or staff. As such, the only information included in the timeline involves the Atlas Road Park.**

**ATLAS ROAD PARK – *Timeline of Actions***

- March 3, 2015 – Community Correspondence (Letter) [Attachment A]
  - Letter from Atlas Road Community Organization to K. Washington requesting use as a playground and mailing address. Additionally, the letter requests to have the unsafe housing lien removed, otherwise, would negotiate a cost up to half to be paid.
  - NIP staff were included on correspondence to K. Washington.
- April 7, 2015 – Council Regular Session Meeting [Attachment B]
  - Motion by K. Washington
    - *To have Richland County remove the lien off of the property located at 2045 Smith St (TMS R13516-03-21) contingent on the property owner donating the land to the Atlas Road Community Organization.*
    - Item was sent to the D&S Committee.
- April 22, 2015 – Staff Correspondence (Email)
  - NIP staff stated they were coordinating property transfer from previous ownership to Atlas Road Community Organization when asked by CP&D Director.
- April 28, 2015 – Development & Services Committee Meeting [Attachment C]
  - Motion by N. Jackson, Seconded by B. Malinowski
    - *Forward to Council with a recommendation to have Richland County remove the lien off of the property located at 2045 Smith St (TMS 13516-03-21) contingent on the property owner donating the land to the Atlas Road Community Organization.*
    - Placed on consent agenda for upcoming meeting.

- May 5, 2015 – Council Regular Session Meeting [Attachment D]
  - Motion approved under Consent as presented from Committee to have the lien removed.
  - Action Required: Staff will develop and present a policy to Council to address future requests for removing liens off of property in a similar manner for their consideration – Legal, Building Services, Finance, Administration.
  
- October 12, 2015 – Council Regular Session Meeting [Attachment E]
  - Motion by K. Washington
    - *To have Richland County remove the lien off of the property located at 1420 Joe Frazier Court contingent on the property owner donating the land to the Atlas Road Community Organization.*
    - The item was referred to the D&S Committee.
  
- October 27, 2015 – Development & Services Committee Meeting [Attachment F]
  - At the October 12, 2015 Council meeting, motion by K. Washington
    - *To have Richland County remove the lien off of the property located at 1420 Joe Frazier Court contingent on the property owner donating the land to the Atlas Road Community Organization*
    - B. Malinowski moved, seconded by J.A. Dixon to defer the item until the November committee meeting for additional information. Unanimous vote in favor.
  
- November 24, 2015 – Development & Services Committee Meeting [Attachment G]
  - D&S Committee forwarded the motion as presented from the October 12 Council meeting and October 27 Committee meeting to Council without a recommendation.
  
- December 1, 2015 – Council Regular Session Meeting [Attachment H]
  - K. Washington, seconded by N. Jackson, moved *to approve removing the lien from the property.*
  - J.A. Dixon, seconded by J. Dickerson, moved *to defer this item until the December 8 Council meeting.*
    - Vote to defer was approved.
  - K. Washington requested the ROA for the previous property adjacent to 1420 Joe Frazier Court.
  
- December 8, 2015 – Special Called Meeting [Attachment I & J]
  - Council approved removing the lien off of the property located at 1420 Joe Frazier Court (TMS R13516-03-03).
  - Vote to reconsider failed.
  
- June 7, 2018 – Special Called Meeting (Budget 2<sup>nd</sup> Reading Public Hearing) [Attachment K]
  - Atlas Road Community Park listed under Item #46 by D. Myers to allocated \$5,000 to Atlas Road Community Organization from the Neighborhood Redevelopment fund balance
  
- June 14, 2018 - Special Called Meeting (Budget 2<sup>nd</sup> Reading) [Attachment L]
  - Neighborhood Redevelopment Motions/Items; Items 34-44
    - *Item #41 - Motion by D. Myers to allocate Neighborhood Redevelopment fund balance to award Atlas Road Community \$5,000 for a park*
      - Staff noted that Atlas Road Community Organization received an application for \$1,500 and was funding through the Neighborhood Matching Grant program; the funding was at odds with the motion by D. Myers.
      - D. Myers stated that the community organization was working with the planning department on a park, where they have their own land. The money would be to help fund development.
      - A substitute motion, which was approved, was to provide \$1,500 for the Neighborhood Matching Grant.



- *Item #41 – Motion by J. Manning, Seconded by S. Rose, to provide \$3,500 to Atlas Road Community from the Neighborhood Redevelopment fund balance*
  - J. Manning notes the new motion is to provide funding separately from NMG funds for the park project, as was stated by D. Myers previously.
  - After some discussion on the necessity and circumstances of the project, a substitute motion was made by D. Myers, seconded by P. Livingston, *to revisit the Atlas Road community park issue when Ms. Hegler and [D. Myers] can come back to Council with more definitive information and a specific request from the normal, standard budget.*
    - Motion passed unanimously.
- June 21, 2018 – Special Called Meeting (Budget 3<sup>rd</sup> Reading) [Attachment M]
  - Motion by D. Myers
    - *To allocate Neighborhood Redevelopment fund balance to award Atlas Road Community \$5,000.*
    - Community Development office should return to council with a plan for the Atlas Road park issue.
    - The motion approved only included funding up to \$1,500 under Neighborhood Matching Grant, based upon the previous meeting’s motions.
- June 26, 2018 – Administration & Finance Committee [Attachment N]
  - N. Jackson, seconded by D. Myers, moved to forward with a recommendation FY18-19 Annual Action Plan budgets for the CDBG and HOME Investment Partnership federal funds.
  - Included within the requested CDBG funds is \$50,000 for a District 10 Park
- July 10, 2018 – Special Called Meeting [Attachment O]
  - P. Livingston stated the committee (A&F) recommended approval of this item. Vote in favor was unanimous.
  - Included the allocation of \$50,000 in CDBG funds for a District 10 Park.
- August 6, 2018 – Staff Correspondence (Email) [Attachment P]
  - Email correspondence between CP&D Director and Community Development Manager discussing proposed sketch by Atlas Road Community Organization president/leader.
  - Discussion provides general background on the project, including potential timeframe based upon available funding and scope.
  - Correspondence shows verification that park area qualified as LMI under HUD guidelines for CDBG funding.
- October 9, 2018 – Staff Correspondence (Email)
  - Discussion of including RCRC as a partner for implementing project.
- November 21, 2018 through December 20, 2018 – Request for Qualifications for Environmental Assessment
  - Solicitation # RC-125-Q-2019
  - Sought qualifications for services related to environmental assessments for project utilizing CDBG funding.
  - Scope included assessments for the Atlas Road Park project
- January 9, 2019 – Procurement Qualifies vendors from RFQ for EAs
  - Procurement qualified three vendors as eligible to submit for the requested EAs.
- February 12, 2019 through March 13, 2019 – Request for Qualification for Atlas Road Park Design
  - Solicitation # RC-139-Q-2019
  - Sought qualifications from design firms for a new community park funded by CDBG

- Scope included evaluation of site conditions and design services, including all construction documents needed
- July 9, 2019 – Special Called Meeting [Attachment Q]
  - D. Myers, seconded by J. Dickerson, moved to *approve this item*.
    - Item 21b, FY2019-2020 Annual Action Plan Budget for CDBG and HOME.
    - Included within the budget was \$100,000 for a District 10 Atlas Road Park Construction Phase II.
- August 23, 2019 – Community Development meeting with RCRC
- August 23, 2019 through September 30, 2019 – Staff Correspondence (Email)
  - Community Development staff thanked RCRC for the meeting on August 23.
  - Community Development staff requested from RCRC any information they had regarding the park.
  - Community Development staff provided a draft predevelopment/design and construction timeline for RCRC
    - RCRC agreed via email to timeline
- October 4, 2019 – Staff Correspondence (Email)
  - Community Development staff sent request to procurement to solicit a bid from Summit Engineering to provide an Environmental Site Assessment for the park location at 2045 Smith Street, Columbia, SC 29205
  - CP&D executed a requisition from \$15,000 and attached a scope of work
- February 4, 2020 – CP&D Meeting with RCRC
  - Discussion during meeting included Atlas Road park, referencing environmental assessments and type and level of funding available for activities

## ATTACHMENTS

- Attachment A – Community Letter to K. Washington
- Attachment B – April 7, 2015 Council Meeting ROA
- Attachment C – April 28, 2015 D&S Committee Minutes
- Attachment D – May 5, 2015 Council Meeting ROA
- Attachment E – October 12, 2015 Council Meeting ROA
- Attachment F – October 27, 2015 D&S Committee Minutes
- Attachment G – November 24, 2015 D&S Committee ROA
- Attachment H – December 1, 2015 Council Meeting Minutes
- Attachment I – December 8, 2015 Council Meeting Minutes
- Attachment J – December 8, 2015 Council Meeting ROA
- Attachment K – June 7, 2018 2<sup>nd</sup> Reading Budget Public Hearing Agenda
- Attachment L – June 14, 2018 2<sup>nd</sup> Reading Budget Council Meeting Minutes
- Attachment M – June 21, 2018 3<sup>rd</sup> Reading Budget Council Meeting Minutes
- Attachment N – June 26, 2018 A&F Committee Minutes
- Attachment O – July 10, 2018 Council Meeting Minutes
- Attachment P – August 6, 2018 Staff Correspondence
- Attachment Q – July 9, 2019 Council Meeting Minutes

**HAYNSWORTH  
SINKLER BOYD**

HAYNSWORTH SINKLER BOYD, P.A.  
1201 MAIN STREET, 22<sup>ND</sup> FLOOR  
P. O. BOX 11889 (29211)  
COLUMBIA, SOUTH CAROLINA 29201  
MAIN 803.779.3080  
FAX 803.765.1243  
www.hsblawfirm.com

WILLIAM R. JOHNSON  
DIRECT 803.540.7945  
wjohnson@hsblawfirm.com

January 15, 2019

**HAND DELIVERED**

David A. Adams  
Richland County Treasurer  
2020 Hampton Street  
Columbia, SC 29201

Re: Reign Living, LLC  
HSB File No. 40192.1

Dear Mr. Adams:

Enclosed is a check in the amount of \$100,000. This check represents payment of the amount due from Reign Living, LLC to Richland County pursuant to Section 2.3 of the Infrastructure Credit Agreement dated June 19, 2018. Please let me know if you have any questions.

Best regards,



William R. Johnson

WRJ:sd

Enclosure

cc: Emily Luther  
Jeff Ruble



0108

**REIGN LIVING COLUMBIA LLC**

2730 TRANSIT ROAD  
WEST SENECA, NY 14224



KeyBank National Association  
Schenectady, New York 12303  
1-800-KEY2YOU



29-7/213

1/9/2019

PAY TO THE ORDER OF **Richland County, South Carolina**

\$\*\*100,000.00

One Hundred Thousand and 00/100\*\*\*\*\*

DOLLARS

Richland County, South Carolina



AUTHORIZED SIGNATURE

MEMO

⑈000 108⑈ ⑆021300077⑆ 329681298926⑈

**REIGN LIVING COLUMBIA LLC**

Richland County, South Carolina

0108

Date	Type	Reference	Original Amt.	Balance Due	1/9/2019 Discount	Payment
1/9/2019	Bill		100,000.00	100,000.00		100,000.00
				Check Amount		100,000.00

STATE OF SOUTH CAROLINA )  
 ) RESOLUTION  
 COUNTY OF RICHLAND )

A RESOLUTION CERTIFYING PROPERTY LOCATED AT 1087 SHOP ROAD AND 1115 SHOP ROAD AS ABANDONED BUILDING SITES PURSUANT TO THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT, TITLE 12, CHAPTER 67 OF THE CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED.

WHEREAS, the South Carolina Abandoned Buildings Revitalization Act (the “Act”) was enacted in Title 12, Chapter 67 of the South Carolina Code of Laws (1976), as amended, to create an incentive for the rehabilitation, renovation, and redevelopment of abandoned buildings located in South Carolina; and

WHEREAS, the Act provides that restoration of abandoned buildings into productive assets for the communities in which they are located serves a public and corporate purpose and results in job opportunities; and

WHEREAS, Section 12-67-140 of the Act provides that a taxpayer who rehabilitates an abandoned building is eligible either for a credit against certain income taxes, license fees, or premium taxes, or a credit against local property taxes; and

WHEREAS, Reign Living LLC or an affiliate, successor, or assign (the “Taxpayer”) intends to rehabilitate certain real property located at 1087 Shop Road, Richland County Tax Map Number 11210-01-13 (“Parcel A”) and 1115 Shop Road, Richland County Tax Map Number 11210-01-01 (“Parcel B”), which properties are located in Richland County, South Carolina (the “County”); and

WHEREAS, the Taxpayer has expressed a desire to claim income tax credits under the Act, which shall have no fiscal impact on the County, and Taxpayer has submitted Notices of Intent to Rehabilitate dated as of September 8, 2017 (“Notices of Intent”) to the South Carolina Department of Revenue with respect to Parcel A and Parcel B; and

WHEREAS, Section 12-67-160 of the Act provides that a taxpayer may apply to the county in which an abandoned building is located for a certification of the abandoned building site, and the taxpayer may conclusively rely upon that certification in determining the credits allowed; and

WHEREAS, the Taxpayer has applied to the County to certify Parcel A and Parcel B as eligible abandoned building sites, defined by Section 12-67-120 of the Act, in order to facilitate Taxpayer’s claim for income tax credits.

NOW THEREFORE, BE IT RESOLVED by the Richland County Council in meeting duly assembled, as follows:


Section 1. Based solely on information provided to the County by the Taxpayer, including the Notices of Intent, the County hereby certifies that (i) Parcel A and Parcel B each constitute an abandoned building site, and the improvements on each of Parcel A and Parcel B constitute two separate abandoned buildings, as defined by Section 12-67-120(1) of the Act, and (ii) the geographic area of each building site is consistent with Section 12-67-120(2) of the Act.

Section 2. All orders, resolutions, and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed. This Resolution shall take effect and be in full force from and after its passage by the County Council.

Section 3. This Resolution regards only the certification of Parcel A and Parcel B pursuant to Section 12-67-120 of the Act. The County makes no representations, warranties, findings or determinations regarding any other matters, including the eligibility of the Taxpayer for any credit authorized pursuant to the Act, Parcel A's or Parcel B's fitness for a particular purpose or any zoning, permitting, or licensing matters.

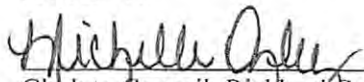
RESOLVED the 7<sup>th</sup> day of October, 2017.

RICHLAND COUNTY, SOUTH CAROLINA

  
\_\_\_\_\_  
Joyce Dickerson  
Chair, Richland County Council

(SEAL)

ATTEST:

  
\_\_\_\_\_  
Clerk to Council, Richland County Council

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. 031-18HR

**AUTHORIZING THE EXPANSION OF THE BOUNDARIES OF  
THE I-77 CORRIDOR REGIONAL INDUSTRIAL PARK  
JOINTLY DEVELOPED WITH FAIRFIELD COUNTY TO  
INCLUDE CERTAIN PROPERTY LOCATED IN RICHLAND  
COUNTY; THE EXECUTION AND DELIVERY OF AN  
INFRASTRUCTURE CREDIT AGREEMENT TO PROVIDE FOR  
INFRASTRUCTURE CREDITS TO PROJECT REIGN; AND  
OTHER RELATED MATTERS.**

WHEREAS, Richland County (“County”), acting by and through its County Council (“County Council”), is authorized pursuant to the provisions of Article VIII, Section 13(D) of the South Carolina Constitution and the provisions of Title 4, Chapter 1 of the Code of Laws of South Carolina, 1976, as amended (collectively, “Act”), to (i) develop a multicounty park with counties having contiguous borders with the County; and (ii) include property in the multicounty park which inclusion under the terms of the Act (A) makes such property exempt from *ad valorem* property taxes, and (B) changes the character of the annual receipts from such property to fees-in-lieu of *ad valorem* property taxes in an amount equal to the *ad valorem* taxes that would have been due and payable but for the location of the property in such multicounty park (“Fee Payments”);

WHEREAS, the County is further authorized by Section 4-1-175 of the Act, to grant credits against Fee Payments (“Infrastructure Credit”) to pay costs of designing, acquiring, constructing, improving or expanding (i) infrastructure serving a project or the County, and (ii) improved and unimproved real estate and personal property used in the operation of a manufacturing facility or commercial enterprise (collectively, “Infrastructure”);

WHEREAS, pursuant to the authority provided in the Act, the County has developed with Fairfield County, South Carolina, the I-77 Corridor Regional Industrial Park (“Park”) and executed the Master Agreement Governing the I-77 Corridor Regional Industrial Park, dated April 15, 2003 (“Park Agreement”), which governs the operation of the Park;

WHEREAS, Project Reign (“Company”) desires to establish a commercial apartment complex within the County (“Project”), consisting of taxable investments in real and personal property of not less than \$27,000,000;

WHEREAS, at the Company’s request, the County desires to expand the boundaries of the Park and amend the Park Agreement to include the real and personal property relating to the Project, specifically, approximately 3 acres located at 1087 Shop Road, TMS # R11210-01-13 and approximately 7.31 acres located at 1115 Shop Road, TMS # R11210-01-01 (“Property”), in the Park; and

WHEREAS, the County further desires to enter into an Infrastructure Credit Agreement between the County and the Company, the substantially final form of which is attached as Exhibit A (“Agreement”), to provide Infrastructure Credits against certain of the Company’s Fee Payments with respect to the Project for the purpose of assisting in paying the costs of certain Infrastructure.

NOW THEREFORE, BE IT ORDAINED, by the County Council as follows::

**Section 1. *Statutory Findings.*** Based on representations made by the Company to the County, the County finds that the Project and the Infrastructure will enhance the economic development of the County.

**Section 2. *Expansion of the Park Boundaries, Inclusion of Property.*** The expansion of the Park boundaries and an amendment to the Park Agreement to include the Property in the Park is authorized. The Chair of County Council (“Chair”) is authorized to execute such documents and take such further actions as may be necessary to complete the expansion of the Park boundaries and the amendment to the Park Agreement. Pursuant to the terms of the Park Agreement, the expansion of the Park’s boundaries to include the Property is complete on the adoption of this Ordinance by County Council and a companion approving ordinance by the Fairfield County Council.

**Section 3. *Approval of Infrastructure Credit; Authorization to Execute and Deliver Agreement.*** The Infrastructure Credits, as more particularly set forth in the Agreement, against the Company’s Fee Payments with respect to the Project are approved. The form, terms and provisions of the Agreement that is before this meeting are approved and all of the Agreement’s terms are incorporated in this Ordinance by reference as if the Agreement was set out in this Ordinance in its entirety. The Chair is authorized and directed to execute the Agreement in the name of and on behalf of the County, subject to the approval of any revisions or changes as are not materially adverse to the County by the County Administrator and counsel to the County, and the Clerk to County Council is hereby authorized and directed to attest the Agreement and to deliver the Agreement to the Company.

**Section 4. *Further Assurances.*** The County Council confirms the authority of the Chair, the County Administrator, the Director of Economic Development and the Clerk to County Council, and various other County officials and staff, acting at the direction of the Chair, the County Administrator, the Director of Economic Development or Clerk to County Council, as appropriate, to take whatever further action and to negotiate, execute and deliver whatever further documents as may be appropriate to effect the intent of this Ordinance and the incentives offered to the Company under this Ordinance and the Agreement.

**Section 5. *Savings Clause.*** The provisions of this Ordinance are separable. If any part of this Ordinance is, for any reason, unenforceable then the validity of the remainder of this Ordinance is unaffected.

**Section 6. *General Repealer.*** Any prior ordinance, the terms of which are in conflict with this Ordinance, is, only to the extent of that conflict, repealed.

**Section 7. *Effectiveness.*** This Ordinance is effective after its third reading and public hearing.

RICHLAND COUNTY, SOUTH CAROLINA

  
\_\_\_\_\_  
Chair, Richland County Council

(SEAL)  
ATTEST:

  
\_\_\_\_\_  
Clerk of Council, Richland County Council

First Reading: April 17, 2018  
Second Reading: May 1, 2018  
Public Hearing: May 15, 2018  
Third Reading: June 19, 2018

**EXHIBIT A**  
**FORM OF AGREEMENT**

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**INFRASTRUCTURE CREDIT AGREEMENT**

**by and between**

**RICHLAND COUNTY, SOUTH CAROLINA**

**and**

**REIGN LIVING LLC  
(previously identified as Project Reign)**

**Effective as of: June 19, 2018**

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## INFRASTRUCTURE CREDIT AGREEMENT

This INFRASTRUCTURE CREDIT AGREEMENT, effective as of June 19, 2018 (“Agreement”), is by and between RICHLAND COUNTY, SOUTH CAROLINA, a body politic and corporate, and a political subdivision of the State of South Carolina (“County”), and REIGN LIVING LLC (“Company” together with the County, “Parties,” each, a “Party”).

### WITNESSETH:

WHEREAS, the County, acting by and through its County Council (“County Council”), is authorized and empowered under and pursuant to the provisions of Article VIII, Section 13(D) of the South Carolina Constitution and the provisions of Title 4, Chapter 1 of the Code of Laws of South Carolina, 1976, as amended (collectively, “Act”), to (i) develop multicounty parks with counties having contiguous borders with the County; and (ii) include property in the multicounty park, which inclusion under the terms of the Act (A) makes such property exempt from *ad valorem* property taxes, and (B) changes the character of the annual receipts from such property to fees-in-lieu of *ad valorem* property taxes in an amount equal to the *ad valorem* taxes that would have been due and payable but for the location of the property in such multicounty park (“Fee Payments”);

WHEREAS, the County is further authorized by Section 4-1-175 of the Act to grant credits against Fee Payments (“Infrastructure Credit”) to pay costs of designing, acquiring, constructing, improving or expanding (i) infrastructure serving a project or the County and (ii) improved and unimproved real estate and personal property used in the operation of a commercial enterprise or manufacturing facility (collectively, “Infrastructure”);

WHEREAS, pursuant to the authority provided in the Act, the County has developed with Fairfield County, South Carolina, the I-77 Corridor Regional Industrial Park (“Park”) and executed the “Master Agreement Governing the I-77 Corridor Regional Industrial Park” dated April 15, 2003 (“Park Agreement”), which governs the operation of the Park;

WHEREAS, the Company has committed to establish a commercial apartment complex in the County (“Project”) on property more particularly identified by Exhibit A (“Land”), consisting of taxable investment in real and personal property of not less than \$27,000,000;

WHEREAS, by an ordinance enacted on June 19, 2018 (“Ordinance”), the County authorized the expansion of the boundaries of the Park and an amendment to the Park Agreement to include the Land and other real and personal property relating to the Project (“Property”) in the Park; and

WHEREAS, pursuant to the Ordinance, the County further authorized the execution and delivery of this Agreement to provide Infrastructure Credits against the Company’s Fee Payments with respect to the Project for the purpose of assisting in paying the costs of certain Infrastructure, subject to the terms and conditions below.

NOW, THEREFORE, in consideration of the respective representations and agreements hereinafter contained, the County and the Company agree as follows:

**ARTICLE I  
REPRESENTATIONS**

**Section 1.1. *Representations by the County.*** The County represents to the Company as follows:

- (a) The County is a body politic and corporate and a political subdivision of the State of South Carolina;
- (b) The County is authorized and empowered by the provisions of the Act to enter into and carry out its obligations under this Agreement;
- (c) The County has duly authorized and approved the execution and delivery of this Agreement by adoption of the Ordinance in accordance with the procedural requirements of the Act and any other applicable state law;
- (d) The County is not in default of any of its obligations (contractual or otherwise) as a result of entering into and performing its obligations under this Agreement;
- (e) The County has approved the inclusion of the Property in the Park; and
- (f) Based on representations made by the Company to the County, the County has determined the Project and the Infrastructure will enhance the economic development of the County. Therefore, the County is entering into this Agreement for the purpose of promoting the economic development of the County.

**Section 1.2. *Representations and Covenants by the Company.*** The Company represents and covenants to the County as follows:

- (a) The Company is in good standing under the laws of the State of Delaware, has power to conduct business in the State of South Carolina and enter into this Agreement, and by proper company action has authorized the officials signing this Agreement to execute and deliver it;
- (b) The Company will use commercially reasonable efforts to achieve the Investment Commitment, as defined below, at the Project; and
- (c) The Company's execution and delivery of this Agreement, and its compliance with the provisions of this Agreement do not result in a default under any agreement or instrument to which the Company is now a party or by which it is bound.
- (d) The Company hereby covenants to provide \$100,000 each year for three years, commencing on or before January 15, 2019, and continuing through January 15, 2021, for a total of \$300,000 ("Community Funds"), to the County for the purpose of acquiring, developing, constructing or improving certain parks, green spaces, recreational facilities or beautification projects ("Community Investment") within the community in which the Project will be located. The County shall have the sole discretion in determining the particular Community Investment on which the Community Funds shall be expended.

**ARTICLE II  
INFRASTRUCTURE CREDITS**

**Section 2.1. *Investment Commitment.*** The Company shall invest not less than \$27,000,000 in taxable property at the Project ("Investment Commitment") by the Certification Date, as defined below.

The Company shall certify to the County achievement of the Investment Commitment by no later than December 31, 2023 (“Certification Date”), by providing documentation to the County sufficient to reflect achievement of the Investment Commitment. If the Company fails to achieve and certify the Investment Commitment by the Certification Date, the Company is subject to the clawback requirements set forth in Section 2.3 below.

**Section 2.2. Infrastructure Credits.**

(a) To assist in paying for costs of Infrastructure, the County shall provide an Infrastructure Credit against certain of the Company’s Fee Payments due with respect to the Project. The term, amount and calculation of the Infrastructure Credit is described in Exhibit B. Provided, the Infrastructure Credits available to the Company with respect to any particular Fee Payment shall not be applied unless and until the Company is current in its payment of Community Funds described in Section 1.2(d).

(b) For each property tax year in which the Company is entitled to an Infrastructure Credit (“Credit Term”), the County shall prepare and issue the Company’s annual bill with respect to the Project net of the Infrastructure Credit set forth in Section 2.2 (a) (“Net Fee Payment”). Following receipt of the bill, the Company shall timely remit the Net Fee Payment to the County in accordance with applicable law.

(c) THIS AGREEMENT AND THE INFRASTRUCTURE CREDITS PROVIDED BY THIS AGREEMENT ARE LIMITED OBLIGATIONS OF THE COUNTY. THE INFRASTRUCTURE CREDITS ARE DERIVED SOLELY FROM AND TO THE EXTENT OF THE FEE PAYMENTS MADE BY THE COMPANY TO THE COUNTY PURSUANT TO THE ACT AND THE PARK AGREEMENT. THE INFRASTRUCTURE CREDITS DO NOT AND SHALL NOT CONSTITUTE A GENERAL OBLIGATION OF THE COUNTY OR ANY MUNICIPALITY WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY LIMITATION AND DO NOT AND SHALL NOT CONSTITUTE OR GIVE RISE TO A PECUNIARY LIABILITY OF THE COUNTY OR ANY MUNICIPALITY OR A CHARGE AGAINST THE GENERAL CREDIT OR TAXING POWER OF THE COUNTY OR ANY MUNICIPALITY. THE FULL FAITH, CREDIT, AND TAXING POWER OF THE COUNTY OR ANY MUNICIPALITY ARE NOT PLEDGED FOR THE PROVISION OF THE INFRASTRUCTURE CREDITS.

**Section 2.3. Clawback.** If the Company fails to meet the Investment Commitment by the Certification Date, the Company shall repay a portion of the Infrastructure Credits received. The portion of the Infrastructure Credit to be repaid (“Repayment Amount”) is based on the amount by which the Company failed to achieve the Investment Commitment and is calculated as follows:

**Repayment Amount = Total Received x Clawback Percentage**

**Clawback Percentage = 100% - Investment Achievement Percentage**

**Investment Achievement Percentage = Actual Investment Achieved / Investment Commitment**

*For example, and by way of example only, if the Company had received \$1,000,000 in Infrastructure Credits, and had invested \$24,300,000 by the Certification Date, the Repayment Amount would be calculated as follows:*

*Investment Achievement Percentage = \$24,300,000 / \$27,000,000 = 90%*

*Clawback Percentage = 100% - 90% = 10%*

$$\text{Repayment Amount} = \$1,000,000 \times 10\% = \$100,000$$

The Company shall pay the portion of the Infrastructure Credit to be repaid pursuant to this Section 2.3 within 30 days of receipt of a written statement setting forth the Repayment Amount. If not timely paid, the Repayment Amount is subject to the minimum amount of interest that the law may permit with respect to delinquent *ad valorem* tax payments. The repayment obligation arising under this Section survives termination of the Agreement.

**Section 2.4 Cumulative Infrastructure Credit.** The cumulative dollar amount expended by the Company on Infrastructure shall equal or exceed the cumulative dollar amount of all the Infrastructure Credits received by the Company.

### ARTICLE III DEFAULTS AND REMEDIES

**Section 3.1. Events of Default.** The following are “Events of Default” under this Fee Agreement:

(a) Failure by the Company to make a Net Fee Payment, which failure has not been cured within 30 days following receipt of written notice from the County specifying the delinquency in payment and requesting that it be remedied;

(b) A Cessation of Operations. For purposes of this Agreement, a “Cessation of Operations” means closure of the Project for a continuous period of twelve (12) months;

(c) A representation or warranty made by the Company which is deemed materially incorrect when deemed made;

(d) Failure by the Company to perform any of the terms, conditions, obligations, or covenants under this Agreement (other than those described in Section 2.1 and under (a) above), which failure has not been cured within 30 days after written notice from the County to the Company specifying such failure and requesting that it be remedied, unless the Company has instituted corrective action within the 30-day period and is diligently pursuing corrective action until the default is corrected, in which case the 30-day period is extended to include the period during which the Company is diligently pursuing corrective action;

(e) A representation or warranty made by the County which is deemed materially incorrect when deemed made; or

(f) Failure by the County to perform any of the terms, conditions, obligations, or covenants hereunder, which failure has not been cured within 30 days after written notice from the Company to the County specifying such failure and requesting that it be remedied, unless the County has instituted corrective action within the 30-day period and is diligently pursuing corrective action until the default is corrected, in which case the 30-day period is extended to include the period during which the County is diligently pursuing corrective action.

**Section 3.2. Remedies on Default.**

(a) If an Event of Default by the Company has occurred and is continuing, then the County may take any one or more of the following remedial actions:

(i) terminate the Agreement; or

(ii) take whatever action at law or in equity may appear necessary or desirable to collect amounts due or otherwise remedy the Event of Default or recover its damages.

(b) If an Event of Default by the County has occurred and is continuing, the Company may take one or more of the following actions:

(i) bring an action for specific enforcement;

(ii) terminate the Agreement; or

(iii) in case of a materially incorrect representation or warranty, take such action as is appropriate, including legal action, to recover its damages, to the extent allowed by law.

**Section 3.3. *Reimbursement of Legal Fees and Other Expenses.*** On the occurrence of an Event of Default, if a Party is required to employ attorneys or incur other reasonable expenses for the collection of payments due under this Agreement or for the enforcement of performance or observance of any obligation or agreement, the prevailing Party is entitled to seek reimbursement of the reasonable fees of such attorneys and such other reasonable expenses so incurred.

**Section 3.4. *Remedies Not Exclusive.*** No remedy described in this Agreement is intended to be exclusive of any other remedy or remedies, and each and every such remedy is cumulative and in addition to every other remedy given under this Agreement or existing at law or in equity or by statute.

**Section 3.5. *Nonwaiver.*** A delay or omission by the Company or County to exercise any right or power accruing on an Event of Default does not waive such right or power and is not deemed to be a waiver or acquiescence of the Event of Default. Every power and remedy given to the Company or County by this Agreement may be exercised from time to time and as often as may be deemed expedient.

## ARTICLE IV MISCELLANEOUS

### **Section 4.1. *Examination of Records; Confidentiality.***

(a) The County and its authorized agents, at any reasonable time on prior notice, may enter and examine the Project and have access to and examine the Company's books and records relating to the Project for the purposes of (i) identifying the Project; (ii) confirming achievement of the Investment Commitment; and (iii) permitting the County to carry out its duties and obligations in its sovereign capacity (such as, without limitation, for such routine health and safety purposes as would be applied to any other manufacturing or commercial facility in the County).

(b) The County acknowledges that the Company may utilize confidential and proprietary processes and materials, services, equipment, trade secrets, and techniques ("Confidential Information") and that disclosure of the Confidential Information could result in substantial economic harm to the Company. The Company may clearly label any Confidential Information delivered to the County pursuant to this Agreement as "Confidential Information." Except as required by law, the County, or any employee, agent, or contractor of the County, shall not disclose or otherwise divulge any labeled Confidential Information to any other person, firm, governmental body or agency. The Company acknowledges that the County is subject to the South Carolina Freedom of Information Act, and, as a result, must disclose certain documents and information on request, absent an exemption. If the County is

required to disclose any Confidential Information to a third party, the County will use its best efforts to provide the Company with as much advance notice as is reasonably possible of such disclosure requirement prior to making such disclosure and to cooperate reasonably with any attempts by the Company to obtain judicial or other relief from such disclosure requirement.

**Section 4.2. Assignment.** The Company may assign or otherwise transfer any of its rights and interest in this Agreement on prior written consent of the County, which may be given by resolution, and which consent will not be unreasonably withheld. Notwithstanding the preceding sentence, the County preauthorizes and consents to an assignment by the Company of its rights and interest in this Agreement to an “Affiliate” of the Company so long as the Company provides 30 days’ prior written notice of the assignment to the County, and the Affiliate agrees in a signed writing, a copy of which shall be delivered to the County, to assume all duties and obligations of the Company hereunder. An “Affiliate” of the Company shall mean any entity that controls, is controlled by, or is under common control with the Company.

**Section 4.3. Provisions of Agreement for Sole Benefit of County and Company.** Except as otherwise specifically provided in this Agreement, nothing in this Agreement expressed or implied confers on any person or entity other than the County and the Company any right, remedy, or claim under or by reason of this Agreement, this Agreement being intended to be for the sole and exclusive benefit of the County and the Company.

**Section 4.4. Severability.** If any provision of this Agreement is declared illegal, invalid, or unenforceable for any reason, the remaining provisions of this Agreement are unimpaired, and the Parties shall reform such illegal, invalid, or unenforceable provision to effectuate most closely the legal, valid, and enforceable intent of this Agreement.

**Section 4.5. Limitation of Liability.**

(a) The County is not liable to the Company for any costs, expenses, losses, damages, claims or actions in connection with this Agreement, except from amounts received by the County from the Company under this Agreement.

(b) All covenants, stipulations, promises, agreements and obligations of the County contained in this Agreement are binding on members of the County Council or any elected official, officer, agent, servant or employee of the County only in his or her official capacity and not in his or her individual capacity, and no recourse for the payment of any moneys or performance of any of the covenants and agreements under this Agreement or for any claims based on this Agreement may be had against any member of County Council or any elected official, officer, agent, servant or employee of the County except solely in their official capacity.

**Section 4.6. Indemnification Covenant.**

(a) Except as provided in paragraph (d) below, the Company shall indemnify and save the County, its employees, elected officials, officers and agents (each, an “Indemnified Party”) harmless against and from all liability or claims arising from the County’s execution of this Agreement, performance of the County’s obligations under this Agreement or the administration of its duties pursuant to this Agreement, or otherwise by virtue of the County having entered into this Agreement.

(b) The County is entitled to use counsel of its choice and the Company shall reimburse the County for all of its costs, including attorneys’ fees, incurred in connection with the response to or defense against such liability or claims as described in paragraph (a) above. The County shall provide a

statement of the costs incurred in the response or defense, and the Company shall pay the County within 30 days of receipt of the statement. The Company may request reasonable documentation evidencing the costs shown on the statement. However, the County is not required to provide any documentation which may be privileged or confidential to evidence the costs.

(c) The County may request the Company to resist or defend against any claim on behalf of an Indemnified Party. On such request, the Company shall resist or defend against such claim on behalf of the Indemnified Party, at the Company's expense. The Company is entitled to use counsel of its choice, manage and control the defense of or response to such claim for the Indemnified Party; provided the Company is not entitled to settle any such claim without the consent of that Indemnified Party.

(d) Notwithstanding anything herein to the contrary, the Company is not required to indemnify any Indemnified Party against or reimburse the County for costs arising from any claim or liability (i) occasioned by the acts of that Indemnified Party, which are unrelated to the execution of this Agreement, performance of the County's obligations under this Agreement, or the administration of its duties under this Agreement, or otherwise by virtue of the County having entered into this Agreement; or (ii) resulting from that Indemnified Party's own negligence, bad faith, fraud, deceit, or willful misconduct.

(e) An Indemnified Party may not avail itself of the indemnification or reimbursement of costs provided in this Section unless it provides the Company with prompt notice, reasonable under the circumstances, of the existence or threat of any claim or liability, including, without limitation, copies of any citations, orders, fines, charges, remediation requests, or other claims or threats of claims, in order to afford the Company notice, reasonable under the circumstances, within which to defend or otherwise respond to a claim.

**Section 4.7. Notices.** All notices, certificates, requests, or other communications under this Agreement are sufficiently given and are deemed given, unless otherwise required by this Agreement, when (i) delivered and confirmed by United States first-class, registered mail, postage prepaid or (ii) sent by facsimile, and addressed as follows:

if to the County:	Richland County, South Carolina Attn: Director of Economic Development 2020 Hampton Street Columbia, South Carolina 29204 Phone: 803.576.2043 Fax: 803.576.2137
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with a copy to (does not constitute notice):	Parker Poe Adams & Bernstein LLP Attn: Ray E. Jones 1221 Main Street, Suite 1100 (29201) Post Office Box 1509 Columbia, South Carolina 29202 Phone: 803.255.8000 Fax: 803.255.8017
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if to the Company:	Reign Living LLC 1862 Martin Luther King Jr. Blvd. Riviera Beach, FL 33404 Phone: 561.914.1888 Fax: 561.863.8775
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with a copy to  
(does not constitute notice):

Haynsworth Sinkler Boyd P.A.  
Attn: Will R. Johnson  
1201 Main Street, Suite 2200 (29201)  
Post Office Box 11889  
Columbia, South Carolina 29211-1889  
Phone: 803.540.7945  
Fax: 803.765.1243

The County and the Company may, by notice given under this Section, designate any further or different addresses to which subsequent notices, certificates, requests or other communications shall be sent.

**Section 4.8. *Administrative Fees.*** The Company will reimburse, or cause reimbursement to, the County for the Administration Expenses based on actual costs incurred in the amount of up to \$10,000. The Company will reimburse the County for its Administration Expenses on receipt of a written request from the County or at the County's direction, which request shall include a statement of the amount and nature of the Administration Expense. The Company shall pay the Administration Expenses as set forth in the written request no later than 60 days following receipt of the written request from the County. For purposes of this Section, "Administration Expenses" means the reasonable expenses incurred by the County in the negotiation, approval and implementation of the terms and provisions of this Agreement, including reasonable attorneys' fees. Administration Expenses do not include any costs, expenses, including attorneys' fees, incurred by the County (i) in defending challenges to the Fee Payments or Infrastructure Credits brought by third parties or the Company or its affiliates and related entities, or (ii) in connection with matters arising at the request of the Company outside of the immediate scope of this Agreement, including amendments to the terms of this Agreement. The payment by the Company of the County's Administration Expenses shall not be construed as prohibiting the County from engaging, at its discretion, the counsel of the County's choice.

**Section 4.9. *Entire Agreement.*** This Agreement expresses the entire understanding and all agreements of the Parties with each other, and neither Party is bound by any agreement or any representation to the other Party which is not expressly set forth in this Agreement or in certificates delivered in connection with the execution and delivery of this Agreement.

**Section 4.10 *Agreement to Sign Other Documents.*** From time to time, and at the expense of the Company, to the extent any expense is incurred, the County agrees to execute and deliver to the Company such additional instruments as the Company may reasonably request and as are authorized by law and reasonably within the purposes and scope of the Act and this Agreement to effectuate the purposes of this Agreement.

**Section 4.11. *Agreement's Construction.*** Each Party and its counsel have reviewed this Agreement and any rule of construction to the effect that ambiguities are to be resolved against a drafting party does not apply in the interpretation of this Agreement or any amendments or exhibits to this Agreement.

**Section 4.12. *Applicable Law.*** South Carolina law, exclusive of its conflicts of law provisions that would refer the governance of this Agreement to the laws of another jurisdiction, governs this Agreement and all documents executed in connection with this Agreement.

**Section 4.13. *Counterparts.*** This Agreement may be executed in any number of counterparts, and all of the counterparts together constitute one and the same instrument.



**Section 4.14. *Amendments.*** This Agreement may be amended only by written agreement of the Parties.

**Section 4.15. *Waiver.*** Either Party may waive compliance by the other Party with any term or condition of this Agreement but the waiver is valid only if it is in a writing signed by the waiving Party.

**Section 4.16. *Termination.*** Unless first terminated under any other provision of this Agreement, this Agreement terminates on the expiration of the Credit Term and payment by the Company of any outstanding Net Fee Payment due on the Project pursuant to the terms of this Agreement.

**Section 4.17. *Business Day.*** If any action, payment, or notice is, by the terms of this Agreement, required to be taken, made, or given on any Saturday, Sunday, or legal holiday in the jurisdiction in which the Party obligated to act is situated, such action, payment, or notice may be taken, made, or given on the following business day with the same effect as if taken, made or given as required under this Agreement, and no interest will accrue in the interim.


*[TWO SIGNATURE PAGES FOLLOW]  
[REMAINDER OF PAGE INTENTIONALLY BLANK]*

IN WITNESS WHEREOF, Richland County, South Carolina, has caused this Agreement to be executed by the appropriate officials of the County and its corporate seal to be affixed and attested, effective the day and year first above written.

**RICHLAND COUNTY, SOUTH CAROLINA**

  
\_\_\_\_\_  
Chair, Richland County Council


(SEAL)  
ATTEST:

  
\_\_\_\_\_  
Clerk to Council, Richland County Council

*[SIGNATURE PAGE 1 TO INFRASTRUCTURE CREDIT AGREEMENT]*

IN WITNESS WHEREOF, Reign Living LLC has caused this Agreement to be executed by its authorized officer(s), effective the day and year first above written.

**REIGN LIVING LLC**

By:   
Name: Scott R. Sharp  
Its: President

***[SIGNATURE PAGE 2 TO INFRASTRUCTURE CREDIT AGREEMENT]***

**EXHIBIT A**

**LAND DESCRIPTION**

Approximately 3 acres located at 1087 Shop Road, TMS # R11210-01-13

Approximately 7.31 acres located at 1115 Shop Road, TMS # R11210-01-01

**EXHIBIT B**

**DESCRIPTION OF INFRASTRUCTURE CREDIT**

**33% per year for 10 years, commencing with the first property tax year after the property tax year in which the project is placed in service**



**Agenda Briefing**

<b>Prepared by:</b>	Michael A. Byrd	<b>Title:</b>	Director
<b>Department:</b>	Emergency Services	<b>Division:</b>	
<b>Date Prepared:</b>	November 02, 2020	<b>Meeting Date:</b>	November 19, 2020
<b>Legal Review</b>	Elizabeth McLean via email	<b>Date:</b>	November 06, 2020
<b>Budget Review</b>	James Hayes via email	<b>Date:</b>	November 12, 2020
<b>Finance Review</b>	Stacey Hamm via email	<b>Date:</b>	November 12, 2020
<b>Approved for consideration:</b>	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
<b>Committee</b>	Administration & Finance		
<b>Subject:</b>	Purchase of Fire Truck Pumper		

**STAFF’S RECOMMENDED ACTION:**

Approve the purchase of a fire truck pumper for the Gadsden Station using CDBG funds.

Request for Council Reconsideration:  Yes

**FIDUCIARY:**

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes		No
If no, is a budget amendment necessary?		Yes		No

Funds are available from CDBG funds – JL 4891300 and JL 4891500.

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

Using CDBG funds will not impact the Fire Fund or the General Fund.

**COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:**

**REGULATORY COMPLIANCE:**

**MOTION OF ORIGIN:**

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

**STRATEGIC & GENERATIVE DISCUSSION:**

The purpose of this report is to obtain Council approval to purchase a new fire pumper for the County’s Gadsden Fire Station. The Community Development Office notified Emergency Services there was money available from Community Development Block Grant (CDBG) funds for the purchase of a fire truck – pumper. No additional funds are needed. This will be the third truck purchased using CDBG funds. The first truck is stationed at the Hopkins Station and the second is stationed at the Capital View station.

Richland County needs to add additional fire trucks to the fleet to meet front-line demand and reserve truck capacity. Currently, we have five available reserve trucks and should increase the number of reserves to maintain our current ISO Public Protection Classification. This purchase will improve our ability to respond to fire calls in the Lower Richland area. The older truck currently in use at Gadsden will be reassigned or become a reserve truck.

Richland County began the procurement process to identify available ready built trucks. The bid request asked for alternative bids for demos and stock vehicles to reduce the delivery time. The industry standard for delivery of new vehicles built to customer specifications can be up to 365 days.

After evaluating the bids, the lowest responsible and responsive bidder is Peach State Emergency Vehicles. Peach State submitted a bid for a ready built stock pumper. The two (2) manufacturers that placed bids are listed below. The advantage of purchasing a stock truck option is that it provides a quick delivery time verses developing specifications and having a long bid and evaluation process. Ready built stock trucks are available on a first come - first purchase basis so this purchase is time sensitive.

**Peach State Emergency Vehicles**

Stock/Demo	\$496,699.00
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**Rosenbauer**

Stock/Demo	\$528,228.00
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Once approved, Council is asked to reconsider this item due to the time sensitive purchase. After reconsideration, no further action is required and Procurement will issue the purchase order.

**ADDITIONAL COMMENTS FOR CONSIDERATION:**

**ATTACHMENTS:**

- 1. Bid Sheet

RC-370-BV-2021 Ready Built Custom Pumper

**Peach State Emergency Vehicles**

**Rosenbauer America, LLC**

#	Items	QuantityRequired	UnitPrice	TotalCost	UnitPrice	TotalCost
0						
#0-1	Ready Build Custom Pumper base price plus all options	1	\$496,699.00	<b>\$496,699.00</b>	\$528,228.00	\$528,228.00





**Agenda Briefing**

<b>Prepared by:</b>	Michael A. Byrd	<b>Title:</b>	Director
<b>Department:</b>	Emergency Services	<b>Division:</b>	EMS
<b>Date Prepared:</b>	October 12, 2020	<b>Meeting Date:</b>	November 19, 2020
<b>Legal Review</b>	Elizabeth McLean via email	<b>Date:</b>	November 06, 2020
<b>Budget Review</b>	James Hayes via email	<b>Date:</b>	November 04, 2020
<b>Finance Review</b>	Stacey Hamm via email	<b>Date:</b>	November 04, 2020
<b>Approved for consideration:</b>	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
<b>Committee</b>	Administration & Finance		
<b>Subject:</b>	Approval of Purchase Orders for Medical Supplies		

**STAFF’S RECOMMENDED ACTION:**

It is recommended that Council approve the purchase orders to Boundtree Medical for \$197,000 and Nashville Medical for \$102,000 for supplies and services needed for the operations of the Emergency Services Department.

Request for Council Reconsideration: Yes

**FIDUCIARY:**

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	No
If no, is a budget amendment necessary?		Yes	No

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

Funding is included in the 2020 / 2021 budget. No additional funds are needed.

**COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:**

**REGULATORY COMPLIANCE:**

**MOTION OF ORIGIN:**

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

**STRATEGIC & GENERATIVE DISCUSSION:**

The Emergency Services Department requests approval to award purchase orders to Boundtree Medical and Nashville Medical for medical supplies. The amount of the purchase orders exceed \$100,000 and therefore council’s approval is necessary.

ESD uses vendors to supply mission critical products and services used by first responders to save lives during emergency response operations. A disruption in the supply chain will impact the scope of practice for responders and cause issues in the administration of best-practice protocols. Supplies and services not available on state contract are bid out for the best pricing. EMS uses hundreds of different medical items that are secured through competitive bidding. The best individual price per item was selected from each of the vendors submitting a bid. Two vendors that submitted the lowest prices on individual items will be awarded bids exceeding \$100,000 and therefore Council’s approval is necessary.

Because we do not know exactly how many of an individual item will be needed, the amount of individual items for the year are estimates. The exact amount of yearly supplies purchased will be determined by call volume, type of call and circumstance. The exact amounts for each vendor may go up or down. For example, the pandemic required more PPE supplies than we purchased the previous year. Many items have a short shelf life and are not ordered until in-house inventories reach predetermined levels. However, other items such as PPE have to be ordered well in advance because of availability. Not having purchase orders in place could jeopardize inventories of critical supplies.

Council has approved supply purchase orders in previous years. Once approved, no other action is required from Council. Upon approval, Procurement will issue the purchase orders.

The vendors exceeding \$100,000 during the year are:

VENDOR	SERVICE	ESTIMATED AMOUNT
<b>Boundtree Medical</b>	Medical Equipment and Supplies	\$ 197,000
<b>Nashville Medical</b>	Medical Equipment and Supplies	\$ 102,000

**ADDITIONAL COMMENTS FOR CONSIDERATION:**

Purchase orders will be awarded to the vendors listed below:

<b>PO Needed</b>		<b>Total \$ for Year</b>
<b>Boundtree</b>		<b>\$197,000.00</b>
<b>Henry Schein</b>		\$67,000.00
<b>Life Assist</b>		\$32,000.00
<b>McKesson</b>		\$73,000.00
<b>Medline</b>		\$23,000.00
<b>N.A.R.</b>		\$2,400.00
<b>Nashville</b>		<b>\$102,000.00</b>
	<b>Total</b>	<b>\$496,400.00</b>
<b>*****</b>	Needing Council Approval	

**ATTACHMENTS:**

1. List of equipment and supplies by vendor.

## Bound Tree Medical

#	Item	Package/ Unit of Measure	Quantity Required	Unit Price	Vendor's Manufacturer Number	Are you submitting a substitute? Yes or No	Total Cost
#0-1	AMBU LM/	Boxes	6	99.4	321100000U	No	596.4
#0-2	AMBU LM/	Boxes	5	99.4	321150000U	No	497
#0-4	BVM, adult	Each	780	9.22	AF1040MB	No	7191.6
#0-5	BVM, pedi	Each	50	9.22	AF2040MB	No	461
#0-6	BVM, infan	Each	50	9.22	AF3040MB	No	461
#0-21	AMBU King	Each	120	27.5	KLTS423	No	3300
#0-22	AMBU King	Each	250	27.5	KLTS424	No	6875
#0-23	AMBU King	Each	200	27.5	KLTS425	No	5500
#0-26	King Vision	Each	250	13.9	KVLAB3C	No	3475
#0-27	King Vision	Each	100	13.9	KVLAB3	No	1390
#0-68	1" 3M Trar	Cases	12	69.5	1527-1	No	834
#0-69	2" 3M Trar	Cases	5	77.2	1527-2	No	386
#0-79	Triangular	Each	1400	0.24	1124-32400	No	336
#0-81	Hyfin Vent	Each	135	7.02	10-0037	No	947.7
#0-85	Sharps con	Each	288	2.95	1860-08704	No	849.6
#0-87	Glove/gow	Each	100	1.8	14651	No	180
#0-94	Nitrile glov	Cases	750	66	55080 through 5!	No	49500
#0-101	BD 14gax3	Boxes	15	41.3	382268	No	619.5
#0-106	15ga Intrac	Each	50	8.08	DIN1515X	No	404
#0-107	18ga Intrac	Each	50	8.08	DIN1518X	No	404
#0-124	Cyalume st	Each	200	0.99	9-08001	No	198
#0-131	Bed Pan m	Each	50	0.8	H100-05	No	40
#0-136	Electrodes,	Cases	200	408	SP-00-S/50	No	81600
#0-138	C-Collars, /	Cases	55	160	000264501 throu	No	8800
#0-145	Reeves sle	Each	10	535.78	RSS0005	No	5357.8
#0-146	Reeves stri	Each	10	265.43	RSS0003	No	2654.3

Henry Schein. Inc

#	Item	Package/ Unit of Measure	Quantity Required	Unit Price	Vendor's Manufacturer Number	Are you submitting a substitute? Yes or No	Total Cost
#0-12	Endotracheal	Each	400	0.5	3.0mm to 5.0mm, NO		200
#0-13	Endotracheal	Each	700	0.64	7001802/1168192	NO	448
#0-29	Laryngoscope	Each	10	7.77	1135098, MedSou	YES	77.7
#0-30	KY Gel 3gr	Boxes	15	4.98	1166725, Dynarex	YES	74.7
#0-31	LSP Main C	Each	20	144.7	4990448	NO	2894
#0-42	Stethoscope	Each	30	2.55	4996136	NO	76.5
#0-45	Suction tubes	Cases	12	20	7005319	NO	240
#0-60	Bite sticks,	Each	60	0.25	6675231, sold 10/	NO	15
#0-65	Laryngoscope blades,		50	8.05	4999428/4995535	NO	402.5
#0-66	2x2 Gauze	Sleeves	1000	0.56	6813792, sold 25s	NO	560
#0-67	3 inch Kling	Cases	40	22.24	9338432, Dukal	NO	889.6
#0-72	5"x9" Pads	Each	2500	0.06	5701470, Henry Si	YES	150
#0-83	BioHazard	Each	3000	0.13	6506281, sold 50C	NO	390
#0-88	Precision X	Each	50	0	6570561, No char	NO	0
#0-89	Precision X	Boxes	850	18.75	8404732	NO	15937.5
#0-97	Alcohol prep	Each	80000	0.00465	1126131, sold 20C	NO	372
#0-98	Braun IV ac	Cases	150	62	4996908	NO	9300
#0-99	Braun IV ac	Cases	5	70.75	4992284	NO	353.75
#0-100	Braun 9 inc	Cases	320	44.44	7003003	NO	14220.8
#0-102	18ga x 1.0'	Boxes	20	2.36	9004469	NO	47.2
#0-103	20ga x 1.0'	Boxes	8	1.15	1127109	NO	9.2
#0-104	25ga x 5/8	Boxes	8	2.11	7005508	NO	16.88
#0-112	Syringe 10	Each	800	0.176	6130056, sold 10C	NO	140.8
#0-113	Syringe, 20	Each	100	0.155	1126151, sold 50/	NO	15.5
#0-114	Syringe, 35	Each	100	0.18	7005337, Dynarex	YES	18
#0-116	I.V. Tourniquet	Each	8000	0.065	1335390, sold 25C	NO	520
#0-117	Venigard d	Cases	32	166.5	3552411	NO	5328
#0-125	Emergency	Each	100	0.43	4998402	NO	43
#0-126	Emesis basin	Each	150	0.1	1125809, sold 25/	NO	15
#0-129	Trauma shield	Each	200	0.62	7004481	NO	124
#0-130	Urinal w/liner	Each	200	0.39	1269484, sold 48/	YES	78
#0-133	Disposable	Packs	650	3	7004728	NO	1950
#0-139	12 inch dis	Each	150	0.67	7004791, center f	NO	100.5
#0-140	18 inch dis	Each	150	0.91	7005262, center f	NO	136.5
#0-141	24 inch dis	Each	250	1.13	7005247, center f	NO	282.5
#0-142	34 or 36 in	Each	150	1.22	7004812, Center f	NO	183
#0-143	KED (LATE	Each	10	44.9	4992551, MedSou	YES	449
#0-147	SAM Splint	Each	10	2.69	4993932, sold 10/	NO	26.9
#0-148	SAM Splint	Each	10	5.86	4635064	NO	58.6
#0-149	SAM Splint	Each	10	6.54	3601359	NO	65.4
#0-150	2 piece 5 F	Each	100	5.55	3701050	NO	555
#0-151	9 Foot nylc	Each	600	9.16	7004694	NO	5496

Life-Assist Inc.

#	Item	Package/ Unit of Measure	Quantity Required	Unit Price	Vendor's Manufacturer Number	Are you submitting a substitute? Yes or No	Total Cost
#0-10	Thomas tu	Each	425	2.58	600-10000	NO	1096.5
#0-11	Thomas tu	Each	100	2.58	600-2000	NO	258
#0-24	King Vision	Each	50	13.2	KNLAB2C	NO	660
#0-25	King Vision	Each	50	13.2	KVLAB2	NO	660
#0-32	LSP Small C	Each	40	149.5	L370-220-RED	NO	5980
#0-33	O2 flow m	Each	30	74.53	FM107	NO	2235.9
#0-36	Nonrebrea	Cases	100	26	MS-25060	NO	2600
#0-46	Leardal V-\	Each	30	78	985000	NO	2340
#0-47	Leardal V-\	Each	100	19	985001	NO	1900
#0-53	BVM mask	Each	200	0.88	729000	NO	176
#0-54	BVM mask	Each	200	0.61	7291000	NO	122
#0-55	BVM mask	Each	200	0.68	7292000	NO	136
#0-56	BVM mask	Each	200	0.72	7293000	NO	144
#0-57	BVM mask	Each	200	0.86	7294000	NO	172
#0-58	BVM mask	Each	200	0.8	7295000	NO	160
#0-128	Graham m	Each	250	20.84	51926	NO	5210
#0-144	Traction sp	Each	10	96.91	EP-161	NO	969.1

McKesson Medical-Surgical Government Solutions LLC

#	Item	Package/ Unit of	Quantity	Unit Price	Vendor's	Are you		Total Cost
		Measure			Manufacturer	submitting a	substitute? Yes or	
					Number	No		
#0-43	Suction car	Cases	10	119.04	161355	No		1190.4
#0-48	Leardal V-\	Packs	20	12.6	492663	No		252
#0-49	Leardal V-\	Packs	20	26.03	348555	No		520.6
#0-62	Bulb syring	Each	50	0.38	484000	No		19
#0-84	PAWS Wip	Boxes	380	4.39	628359	No		1668.2
#0-86	Sharps con	Each	312	4.1	417186	No		1279.2
#0-90	Precision X	Each	4	8.15	492053	No		32.6
#0-91	Lancets, sir	Boxes	350	6.75	671525	No		2362.5
#0-92	Thermome	Boxes	60	8.79	953916	No		527.4
#0-93	Welch Ally	Each	10	251.89	471588	No		2518.9
#0-96	Super Sani-	Cases	130	67.1	928732	No		8723
#0-105	18ga x 1.5'	Each	3500	0.32	459509	No		1120
#0-109	Syringe 1cc	Each	1100	0.07	1031815	No		77
#0-110	Syringe 3cc	Each	5000	0.05	1031808	No		250
#0-115	Syringe, 60	Each	600	0.3	869662	No		180
#0-134	Disposable	Cases	1800	23.45	422278	No		42210
#0-137	AMBU Hea	Case	12	34.2	446908	No		410.4

Medco Sports Medicine

#	Item	Package/ Unit of Measure	Quantity Required	Unit Price	Vendor's Manufacturer Number	Are you submitting a substitute? Yes or No	Total Cost
#0-3	AMBU Res	Each	150	2.77	267279	No	415.5



Medline In Inc.

#	Item	Package/ Unit of	Quantity	Unit Price	Vendor's Manufacturer	Are you submitting a substitute? Yes or		Total Cost
		Measure	Required		Number	No		
#0-71	4x4 Gauze	Each	16000	0.025	PRM21423	yes		400
#0-119	Emesis bag	Each	6500	0.25	NON80327z	no		1625

North American Rescue LLC

#	Item	Package/ Unit of Measure	Quantity Required	Unit Price	Vendor's Manufacturer Number	Are you submitting a substitute? Yes or No	Total Cost
#0-82	Hyfin Vent	Each	270	7.9	10-0029	No	2133

NASHVILLE MEDICAL & EMS PRODUCTS

#	Item	Package/ Unit of Measure	Quantity Required	Unit Price	Vendor's Manufacturer Number	Are you submitting a substitute? Yes or No	Total Cost
#0-7	CPAP circu	Case	650	479	1900-124-MC10	NO	311350
#0-8	CPAP circu	Each	50	12.99	1900-444-10P	NO	649.5
#0-9	CPAP circu	Each	50	11.79	1900-222-10P	NO	589.5
#0-14	Endotrache	Each	300	0.69	KENTRON #729914	NO	207
#0-15	Endotrache	Each	100	0.69	KENTRON #729906	NO	69
#0-16	Hand held	Cases	60	28.19	KENTRON#333759	NO	1691.4
#0-17	AMBU King airway,	size	60	28.95	KING SIZE O	NO	1737
#0-18	AMBU King	Each	50	28.95	KING SIZE 1	NO	1447.5
#0-19	AMBU King	Each	120	28.95	KING SIZE 2	NO	3474
#0-20	AMBU King	Each	120	28.95	KING SIZE 2.5	NO	3474
#0-28	Laryngosc	Each	200	0.95	KENTRON #LB1100	NO	190
#0-34	Nasal cann	Cases	200	11.89	KENTRON 999308	NO	2378
#0-35	Nasal cann	Cases	15	11.89	KENT#999312	NO	178.35
#0-37	Nonrebre	Cases	15	28.39	KENT #999109	NO	425.85
#0-38	NPA, sizes	Box	80	11.9	KENT #805414-34	NO	952
#0-39	OPA, indivi	Each	700	0.15	KENT #779940CC	NO	105
#0-40	O2 wrench	Each	200	0.29	KENT#550025	NO	58
#0-41	O2 tubing,	Cases	10	11.15	KENT#333400	NO	111.5
#0-44	Suction cat	Each	600	0.12	KENT#393506-18	NO	72
#0-50	Yankauer s	Cases	11	16.89	KENT#887710	YES	185.79
#0-51	Magill forc	Each	30	2.79	KENT #KI298	NO	83.7
#0-52	Magill forc	Each	30	2.59	KENT #KI297	NO	77.7
#0-61	Barbed O2	Each	100	0.25	KENT #550000	NO	25
#0-63	Finger tip	Each	30	14.99	KENT #KT1000	NO	449.7
#0-64	Finger tip	Each	30	18.99	KENT #KT1000	YES	569.7
#0-70	3" 3M Trar	Cases	6	79	3M#1527-3	NO	474
#0-75	Band-aids,	Boxes	200	0.89	KENT #880075	NO	178
#0-76	Burn sheet	Each	40	1.29	KENT #888111	NO	51.6
#0-77	CAT tourni	Each	250	20.09	NAR	NO	5022.5
#0-78	Trauma dri	Each	200	0.63	KENT #771230	NO	126
#0-80	Vaseline g	Each	700	0.39	KENT #887339	NO	273
#0-108	Protect IV	Cases	125	241.39	PROTECT PLUS	NO	30173.75
#0-118	3M Medic	Each	15000	0.41	3M#1626W	NO	6150
#0-120	Blood pres	Each	50	4.95	KENT#777701	NO	247.5
#0-121	Blood pres	Each	25	4.95	KENT#777703	NO	123.75
#0-122	Blood pres	Each	15	4.95	KENT#777704	NO	74.25
#0-123	Blood pres	Each	10	5.35	KENT#777705	NO	53.5
#0-127	Ice pack, si	Each	1500	0.39	KENT#561111	NO	585
#0-135	OB Kit, stei	Each	50	3.99	KENT#999700	NO	199.5

QuadMed Inc.

#	Item	Package/ Unit of Measure	Quantity Required	Unit Price	Vendor's Manufacturer Number	Are you submitting a substitute? Yes or No	Total Cost
#0-59	Meconium	Each	50	4.069767	VBM 49-30-000	No	203.4884
#0-73	ACE wrap 3	Each	150	0.243902	Dynarex 3663	No	36.58537
#0-74	ACE wrap 4	Each	250	0.365854	Dukal 504LF	No	91.46341
#0-95	Sterile pow	Each	200	0.685366	Halyard Health Inc.	No	137.0732
#0-111	Syringe 6cc	Each	680	0.25	Cardinal 11816211	No	170
#0-132	Nail polish	Each	2000	0.017436	Dukal 862	No	34.87179



**Agenda Briefing**

<b>Prepared by:</b>	Bill Davis	<b>Title:</b>	Director
<b>Department:</b>	Utilities	<b>Division:</b>	Utilities
<b>Date Prepared:</b>	October 16, 2020	<b>Meeting Date:</b>	November 17, 2020
<b>Legal Review</b>	Elizabeth McLean via email	<b>Date:</b>	October 16, 2020
<b>Budget Review</b>	James Hayes via email	<b>Date:</b>	October 16, 2020
<b>Finance Review</b>	Stacey Hamm via email	<b>Date:</b>	October 16, 2020
<b>Approved for consideration:</b>	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
<b>Committee</b>	Administration & Finance		
<b>Subject:</b>	McEntire Joint National Guard Base (MJNGB)/South Carolina Air National Guard (SCANG)- Military Construction and Cooperative agreement (MCCA) to connect to the Southeast Sewer and Water Expansion Service		

**STAFF’S RECOMMENDED ACTION:**

Accept the Inter-Governmental Agreement (IGA) and the Military Construction and Cooperative Agreement (MCCA) to be forwarded to McEntire Joint National Guard Base (MJNGB)/South Carolina Air National Guard (SCANG) for connecting to the Southeast sewer system.

Request for Council Reconsideration: Yes

**FIDUCIARY:**

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	No
If no, is a budget amendment necessary?		Yes	No

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

Richland County’s cost to build the infrastructure for McEntire MJNGB/SCANG is \$ 578,946.31(construction \$497,380.69, design \$81,565.62). The design is complete and there is no contingency cost associated with it. However, there is a five percent contingency cost on the construction cost of \$497,380.69, which is \$24,869.03 totaling \$603,815.34 (\$ 578,946.31 + \$24,869.03) (See Attachment 1 cost letter from Joel E. Wood & Associates). The McEntire MJNGB/SCANG is fully funding all the costs for their portion of the project. However, it is important to note that the construction to connect McEntire MJNGB/SCANG will not begin until Richland County gets the funding from McEntire or a letter of intent to pay for the project. The above said construction cost expires on January 29, 2021, if the executed agreement or a letter of intent to fund the project from McEntire is not received by January 29, 2021. The project has to be rebid with the contractor and McEntire agrees to pay for the new construction costs.

Item	Cost	5% Contingency	Total
Construction	\$497,380.69	\$24,869.03	\$522,249.72
Design	\$81,565.62	\$0.00	\$81,565.62
Project Total			\$603,815.34

**COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:**

**REGULATORY COMPLIANCE:**

**MOTION OF ORIGIN:**

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

**STRATEGIC & GENERATIVE DISCUSSION:**

The Richland County Utilities Department Utilities in accordance with the ordinance No. 1057-83, § 2, 6-21-83 would like to provide higher level service, revokes aging infrastructures, and adds reliability through sewer service to the McEntire Joint National Guard Base (MJNGB)/South Carolina Air National Guard (SCANG). The County Council on October 2, 2018, voted approval for the Southeast Sewer and Water expansion project to ensure that access to the public sewer is available (See Attachment 5). McEntire SCANG is one of the few military facilities that does not have public sewer connectivity and does not currently have any other option. The Southeast Sewer and Water Expansion project will help McEntire to expand and improve services on the base and will allow the closing of the wastewater treatment facilities on the base. The McEntire customer base was part of the equation to pay back the bond loans if not accepted will make the payments prolong and for additional years. The approval will help with the Southeast project bond funding payments.

The County Council approval is needed to proceed and execute the Inter-Governmental Agreement(IGA) and the Military Construction and Cooperative agreement (MCCA). Once the County Council approves the agreements then McEntire will submit the documentation to the Air National Guard (ANG) headquarters for approval of the funding and provide the letter to construct and connect to the Richland County sewer system by February 2021.

**ADDITIONAL COMMENTS FOR CONSIDERATION:**

The McEntire Joint National Guard Base (MJNGB)/South Carolina Air National Guard (SCANG) would like to connect to the Southeast Sewer System. This will allow them to close the wastewater treatment facilities on the base.

Richland County Utilities and McEntire MJNGB/SCANG had meetings during the design of the Southeast Sewer and Water Expansion project to accommodate their request. The design, permitting and construction bids include the McEntire MJNGB/SCANG’s flow and connectivity. Richland County Southeast Sewer and Water Expansion Project are in construction with expected completion by June 30, 2021. Richland County will be building the infrastructure for the McEntire MJNGB/SCANG facility, which includes:

- Installation of the force main to connect to the 16” truck line on Airbase Road to transport the wastewater to the Eastover Waste Water Treatment Facility.
- Installation of the pump station at the current base plant.

McEntire MJNGB/SCANG will pay \$ 578,946.31 and a five percent contingency cost on the construction cost \$497,380.69 of \$24,869.03 totaling \$603,815.34 (See attachment 1 cost letter from Joel E. Wood & Associates) to the Richland County to build the infrastructure for McEntire MJNGB/SCANG. McEntire will be responsible for the operation and maintenance of their plant and related expenses through the date of transfer. McEntire will still own, operate, and maintain all wastewater collection system within the base.

The McEntire MJNGB/SCANG will pay monthly usage fees, as previously established by County Council, once the County begins operation of the existing wastewater collection and treatment systems at the base. The monthly usage fees shall be the only cost to the McEntire MJNGB/SCANG, except for those construction costs provided herein. Thus, there shall be no charges for tap fees for connection to the wastewater collection system to be constructed by the County. The utility rate will be adjusted in accordance with the rate study approved by the County Council with consideration of the South Carolina Department of Health and Environmental Control (SCDHEC) and other regulations as well as the cost of operation and maintenance. The usage fee shall be based on actual flow measured at the flow measurement station and shall be billed at the wholesale rate of \$4.12 per 1000 gallons. The McEntire current average flow is 10,000 gallons per day with a peak flow of 20,000 gallons per day.

McEntire MJNGB/SCANG and Richland County will execute the Inter-Governmental agreement (IGA) (See Attachment 2) to capture easements, deeds, right-of-ways that must be in place to provide access to lift stations and new infrastructure required to provide collection and transportation of wastewater for McEntire MJNGB/SCANG by May 15, 2021 (See Attachment 3).

McEntire MJNGB/SCANG and Richland County will execute a Military Construction and Cooperative agreement (MCCA) (See Attachment 4) which will release the federal and state funding to McEntire MJNGB/SCANG to pay for the project costs.

#### **ATTACHMENTS:**

1. Joel E. Wood & Associates' Southeast Richland County Sewer Project Cost to Serve McEntire MJNGB/SCANG
2. Military Construction and Cooperative agreement (MCCA)
3. McEntire MJNGB/SCANG Easement Exhibit
4. Inter-Governmental Agreement Draft
5. Meeting minutes County Council Special Call October 2, 2018



**JOEL E. WOOD & ASSOCIATES**

PLANNING • ENGINEERING • MANAGEMENT

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Fax.: (704) 739-2565

July 21, 2020

Mr. Tariq Hussain, Acting Director  
Richland County Department of Utilities  
7525 Broad River Road  
Irmo, South Carolina 29063

**REF: SOUTHEAST RICHLAND COUNTY SEWER PROJECT  
COST TO SERVE McENTIRE WITH SEWER**

Dear Mr. Hussain:

At our last meeting with McEntire Joint National Guard Base (MJNGB) we were told that MJNGB would not become a water customer of Richland County Utilities. We were asked to review the information previously provided to MJNGB and determine the cost to provide sewer service only.

**REIMBURSABLE COST FOR MJNGB  
SEWER SERVICE ONLY**

Construction Cost	\$497,380.69
Contingencies (5%)	\$ 24,869.03
Engineering/Construction Services	\$ 81,565.62
<b>Total</b>	<b>\$603,815.34</b>

It is our opinion that the revised cost, taken from the low bid, to install sewer service to MJNGB is as shown above and on the detailed "Cost Analysis." From the cost for sewer system construction we have added contingencies and the cost for design, permitting and construction services to determine a fair and equitable cost that should be contributed by MJNGB for sewer service only.

I trust this information will assist you in assessing fair and equitable cost to provide sewer service to the MJNGB.

Sincerely,

**JOEL E. WOOD & ASSOCIATES, L. L. C.**

Joel E. Wood, P. E.,  
Managing Partner



**BID SCHEDULE  
DIVISION 1**

Proposal of \_\_\_\_\_ (hereinafter called "BIDDER"), organized and existing under the laws of the State of \_\_\_\_\_ doing business as \_\_\_\_\_. \* To Richland County (hereinafter called "OWNER"). In compliance with you Advertisement for BIDS, BIDDER hereby proposes to perform all WORK for the construction of approximately 52,325 L.F. of 16" force main, 3,280 L.F. of 3" force main, 31,375 L.F. of 10" water line, water service connections, sewer service connections, 2 lift stations, emergency standby pumps, boring and jacking under roadways, valves, fitting, hydrants, and appurtenances. in strict accordance with the CONTRACT DOCUMENTS, within the time set forth therein, and at the prices stated below.

By submission of this BID, each BIDDER certifies, and in the case of a joint BID each party thereto certifies as to its own organization, that this BID has been arrived at independently, without consultation, communication, or agreement as to any matter relating to this BID with any other BIDDER or with any competitor.

BIDDER hereby agrees to commence WORK under this contract on or before a date to be specified in the NOTICE TO PROCEED and to fully complete the PROJECT within 270 consecutive calendar days thereafter. BIDDER further agrees to pay as liquidated damages in the amount stated in the Special Conditions for each consecutive calendar day thereafter

BIDDER acknowledges receipt of the following ADDENDUM:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*Insert "a corporation", "a partnership", or "an individual" as applicable.

BIDDER Agrees to perform all the work described in the CONTRACT DOCUMENT for the following unit prices or Lump Sum:

### DIVISION 1

NOTE: BIDS shall include sales tax and all other applicable taxes and fees.

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
<b>Section A:</b>					
1A.	Mobilization	0.0895	L.S.	\$75,962.50	\$6,798.64
2A.	Clear R/W	6.4	AC	\$4,311.54	\$27,593.86
3A.	Traffic Control	0.0895	L.S.	\$33,925.00	\$3,036.29
4A.	Construction Staking	0.0895	L.S.	\$9,636.67	\$862.48
5A.	Sediment and Erosion Control	0.0895	L.S.	\$59,000.57	\$5,280.55
6A.	Seeding, fertilizer and mulch	6.4	AC	\$1,830.92	\$11,717.89
7A.	16"(C905 DR 21) PVC Force Main complete, installed, tested, and approved for use	0	L.F.	\$0.00	\$0.00
8A.	16"(C905 DR 21) PVC Force Main With Restrained Joints complete, installed, tested, and approved for use	0	L.F.	\$0.00	\$0.00
9A.	16"(PC 250) Ductile Iron Force Main With Restrained Joints complete, installed, tested, and approved for use	0	L.F.	\$0.00	\$0.00
10A.	10"(C900 DR 18) PVC Water Line complete, installed, tested, and approved for use	0	L.F.	\$26.29	\$0.00
11A.	10"(C900 DR 18) PVC Water Line With Restrained Joints complete, installed, tested, and approved for use	0	L.F.	\$36.86	\$0.00
12A.	10"(PC 350) Ductile Iron Water Line With Restrained Joints complete, installed, tested, and approved for use	0	L.F.	\$48.25	\$0.00

13A.	3" (SDR 13.5 ) PVC Force Main complete, installed, tested, and approved for use	3,280	L.F.	\$10.84	\$35,555.20
14A.	Bore and Jack 24" Steel Casing with 16"(PC250) Ductile Iron Restrained Joint Carrier Pipe under Roadway Complete, installed and approved for use	0	L.F.	\$0.00	\$0.00
15A.	Bore and Jack 24" Steel Casing with 16"(PC250) Ductile Iron Restrained Joint Carrier Pipe under Rail Road Complete, installed and approved for use	0	L.F.	\$0.00	\$0.00
16A.	Bore and Jack 10.75" Steel Casing with 3" Coated Restrained Joint Ductile Iron Pipe under Rail Road (Force Main)	196	L.F.	\$236.59	\$46,371.64
17A.	Bore and Jack 18" Steel Casing with 10" Restrained Joint Ductile Iron Pipe under Rail Road (Water Main)	0	L.F.	\$251.72	\$0.00
18A.	Bore and Jack 18" Steel Casing with 10" Restrained Joint Ductile Iron Pipe under Roadway	0	L.F.	\$0.00	\$0.00
19A.	Horizontal Directional Drill 18"HDPE(DR 13.5) Force Main as per Detail Complete, installed, tested and approved for use	0	L.F.	\$0.00	\$0.00
20A.	2" Air/Vacuum Valve Installed in Vault Complete, installed and approved for use	2	EA	\$0.00	\$0.00
21A.	3" Air/Vacuum Valve Installed as per Detail, Complete, installed and approved for use	0	EA	\$0.00	\$0.00
22A.	1" Air Release Valve Installed as per Detail, Complete, installed, Tested and approved for use	0	EA	\$0.00	\$0.00
23A.	16" Plug Valve in Manhole Installed as per Detail Complete, tested and Approved for Use	0	EA	\$0.00	\$0.00

24A.	16" Check Valve in Manhole Installed as per Detail, Complete, installed, Tested and approved for use	0	EA	\$0.00	\$0.00
25A.	3" Plug Valve Installed as per Detail, Complete, installed, Tested and approved for use	1	EA	\$1,454.90	\$1,454.90
26A.	10" Gate Valve Installed as per Detail, Complete, installed, Tested and approved for use	0	EA	\$2,514.34	\$0.00
27A.	Furnish and Install Ductile Iron Fittings				
	a. 16" 22° Bend	0	EA	\$0.00	\$0.00
	b. 16" 45° Bend	0	EA	\$0.00	\$0.00
	c. 16" 90° Bend	0	EA	\$0.00	\$0.00
	d. 16" 16x16x8 Tee	0	EA	\$0.00	\$0.00
	e. 16" 16x16x4 Tee	0	EA	\$0.00	\$0.00
	f. 16" 16x16x6 Tee w/ 6" Plug	0	EA	\$0.00	\$0.00
	g. 10" 45° Bend	6	EA	\$714.22	\$4,285.32
	h. 10" 90° Bend	3	EA	\$809.35	\$2,428.05
	i. 10" 10x10x10 Tee	0	EA	\$1,061.85	\$0.00
	j. 10" Plug	0	EA	\$438.35	\$0.00
	k. 10" 10x10x10 Tee w/10" Plug	1	EA	\$1,189.20	\$1,189.20
28A.	Compact Ductile Iron Fittings per pound	300	LB	\$10.88	\$3,264.00
29A.	Fire Hydrant Assembly Including Tee & 6" Valve	0	EA	\$4,166.37	\$0.00
30A.	Temporary Blow-off Assembly	0	EA	\$0.00	\$0.00
31A.	Saw Cut, Remove and Replace Asphalt in Roadways as Per Detail	0	SQ YD	\$208.16	\$0.00
32A.	Saw Cut, Remove and Replace Asphalt in Driveways as Per Detail	369	SQ YD	\$54.36	\$20,058.84
33A.	6" Macadam base material in Driveways and at Mail Box	400	SQ YD	\$17.03	\$6,812.00

34A.	Saw Cut, Remove and Replace Concrete in Driveways as Per Detail	0	SQ YD	\$73.01	\$0.00
35A.	Garners Ferry Road Lift Station Installed Complete, Tested, and Approved for Use as Per Detail Drawings	0	L.S.	\$0.00	\$0.00
36A.	McEntire Lift Station Installed Complete, Tested, and Approved for Use as Per Detail Drawings	1	L.S.	\$218,673.43	\$218,673.43
37A.	Self Priming Suction Lift Emergency Pump at Garners Ferry Road Lift Station Complete, installed, Tested and Approved for Use	0	L.S.	\$0.00	\$0.00
38A.	Self Priming Suction Lift Emergency Pump at McEntire Lift Station Complete, installed, Tested and Approved for Use	1	L.S.	\$77,198.20	\$77,198.20
39A.	3" Force Main Valve Connection with Check Valve, Plug Valves and Vault Complete, Installed, tested and Approved for use	1	EA	\$13,661.33	\$13,661.33
40A.	Tie 10" Water ine to Existing 10" Waterline Complete Installed Tested and Approved for Use	0	EA	\$0.00	\$0.00
41A.	Tie 16" Force Main to Gadsden Lift Station by Others	0	EA	\$0.00	\$0.00
42A.	1" Water Service Connection Complete, Installed, Tested and approved for Use	0	EA	\$0.00	\$0.00
43A.	1" IPS PR 200 Service Tubing Complete, Installed, Tested and approved for Use	0	LF	\$0.00	\$0.00
44A.	Bore 1" IPS PR 200 Service Tubing Under Roadway Complete, Installed, Tested and approved for Use	0	LF	\$0.00	\$0.00
45A.	Grinder Pump Installed as per Detail Complete, Tested and Approved for Use	0	EA	\$0.00	\$0.00
46A.	Pressure Sewer Service Connection Box	0	EA	\$0.00	\$0.00

47A.	1 1/4" PVC Sewer Force Main	0	LF	\$0.00	\$0.00
48A.	Bore 1-1/4" Sewer Service Under Roadway Complete, Installed, Tested and approved for Use	0	LF	\$0.00	\$0.00
49A.	4" Master Meter at McEntire as Per Detail	0	L.S.	\$0.00	\$0.00
50A.	60" Reinforced Fiberglass Water Pipeline Marker	0	EA	\$0.00	\$0.00
51A.	60" Reinforced Fiberglass Sewer Pipeline Marker	3	EA	\$46.29	\$138.87
52A.	Allowance for Sole Source SCADA System	1	L.S.	\$11,000.00	\$11,000.00

**TOTAL OF BID DIVISION 1** \$497,380.69

**TOTAL BASE BID DIVISION 1**     \$ \_\_\_\_\_

\_\_\_\_\_- (TOTAL BASE BID DIVISION 1 AMOUNT WRITTEN OUT)

Respectfully Submitted:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
Title

\_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contractor's License Number

\_\_\_\_\_  
Bidder's License Number

Seal- (If bid is by a Corporation)

Attest \_\_\_\_\_

MILITARY CONSTRUCTION COOPERATIVE AGREEMENT (ANG)

Attachment 2

AGREEMENT NO. W912QG-20-2-2101

PAGE 1 OF 23 PAGES

BETWEEN NATIONAL GUARD BUREAU AND THE STATE OF SOUTH CAROLINA

PROJECT TITLE: INSTALL SEWER LINE

PROJECT LOCATION: MCENTIRE JOINT NATIONAL GUARD BASE (MJNGB), SOUTH CAROLINA

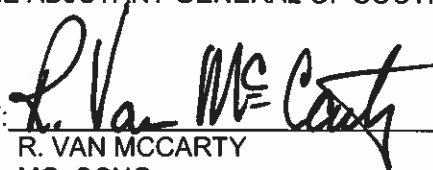
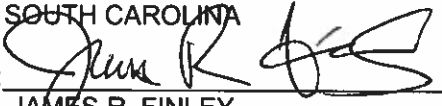
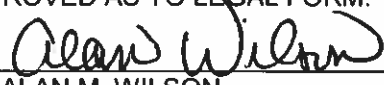

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IV	FUNDING LIMITATIONS	1	X	PROPERTY	1
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EXECUTION

By executing this cooperative agreement, the parties agree to terms and conditions contained herein, including attachments.

IN WITNESS WHEREOF, the parties hereto have executed this Cooperative Agreement

GRANTEE	GRANTOR
THE ADJUTANT GENERAL OF SOUTH CAROLINA  BY:  R. VAN MCCARTY MG, SCNG The Adjutant General  Date: 03 SEP 2020	NATIONAL GUARD BUREAU UNITED STATES PROPERTY & FISCAL OFFICER OF SOUTH CAROLINA  BY:  JAMES R. FINLEY COL, SCARNG USPFO for South Carolina  Date: 31 AUG 2020
APPROVED AS TO LEGAL FORM:  BY:  ALAN M. WILSON Attorney General for South Carolina  Date: 12 SEP 2020 SUBJECT TO ATTACHED MEMO	APPROVED AS TO LEGAL FORM:  BY:  KEVIN J. ESBER Office of the Staff Judge Advocate  Date: 31 AUG 2020

## ARTICLE I – SCOPE, PURPOSE AND AUTHORITY

### Section 101. General.

a. The Grantor, National Guard Bureau (NGB) through the United States Property and Fiscal Officer (USPFO) and the Grantee, The Adjutant General of South Carolina have entered into this Military Construction Cooperative Agreement (MCCA) to establish the terms and conditions applicable to the reimbursement of Federal funds or contribution of Federal funds or contribution of in-kind assistance for this Project. NGB and the Grantee desire to design, construct, sustain, restore or modernize as applicable, this Project using this single MCCA.

b. The attached Appendix/Appendices are integral to this MCCA.

c. The provisions of current PARC policy, the former NGR 5-1 or successor CNGB Instruction and Manual and Air National Guard Engineering Technical Letter (ANGETL) 10-04, Military Construction Cooperative Agreements (MCCA) are integral to this MCCA.

d. This MCCA is not an appendix to NGB's Master Cooperative Agreement (MCA) and its Attachment A. However, 2 CFR Part 200 Award Provisions are incorporated herein by reference. The MCA contains provisions required by Federal law and regulation which apply to this MCCA and govern it. Grantee acknowledges that a hard copy of the standard NGB Master Cooperative Agreement has been provided and, as part of this agreement, agrees to abide by its pertinent provisions.

### Section 102. Property and Improvements.

Title to real property improvements, including real property installed equipment constructed under this MCCA, shall be held by Richland County, or its assignee(s) or lessee(s), and will, at the option of McEntire JNGB, be removed upon cancellation or termination of this agreement.

### Section 103. Scope of Activities.

The Scope of activities is contained in the Appendix/Appendices.

### Section 104. Performance Specifications.

The Grantee's performance specifications are contained in the Appendix/Appendices.

### Section 105. Authority

a. This MCCA is authorized under the Secretary of Defense, as provided in Title 10 U.S.C. Chapter 1803. In accordance with the provisions of 10 U.S.C. Chapter 1011, the Chief, National Guard Bureau (CNGB) is the channel of communication between the Armed Forces and the National Guard of the Grantee. As the Federal Agent for the US, the CNGB is authorized to contribute funds necessary for design and construction of facilities as set forth in 10 USC Chapter 1803. Contribution of funds by NGB and construction of the facility are necessary to accomplish Federal and State missions of the State Air National Guard.

b. The Project will be used by South Carolina's Air and Army National Guard located at MJNGB.

c. This MCCA is a Cooperative Agreement within the meaning of 31 U.S.C. §§ 6301-6308.



## ARTICLE II – OBLIGATIONS OF THE PARTIES

### Section 201. Obligations of the Grantee.

a. The Grantee will exercise its best efforts to supervise, manage, operate and maintain all activities or projects within the scope of this MCCA according to sound, efficient, commercial practice and the terms, conditions and specifications of this MCCA.

b. The Grantee will obligate sufficient funds to pay its share of costs of this MCCA.

c. Once the Project is completed, the Grantee may not permit any use or disposition of the facility constructed which will interfere with its use for the administration and training of units of the Reserve Forces of the United States, or in time of war or national emergency, by other units of the Armed Forces of the United States or any other use by the Federal Government until the event of termination of this MCCA. (See Section 701 Term of Agreement).

d. In the event the Grantee desires to place the facility(ies) under some use other than the training or administration of the Reserve Forces of the United States, the Grantee, upon the approval of the USPFO, may place the facility(ies) in such other use provided that:

(1) If the facility is still adequate for its original purpose and still required for the use of any Reserve Component of the United States, the Grantee replaces the facility in-kind without further Federal contribution; and,

(2) Executes a modification to this MCCA recognizing all terms and conditions as applying to the replacement facility for the remaining term of this MCCA. Determination of whether the replacement facility is adequate for use as is, in fact "in-kind" shall be within the sole discretion of the USPFO.

e. When the facility constructed under this MCCA is no longer required by any Reserve Component of the United States, as determined by any use or disposition of the facility that would interfere with its use for administering and training the Reserve Components or, in time of war or national emergency, by other units of the armed forces, or by the United States for any purpose, the Grantee agrees to reimburse the United States the amount calculated by multiplying the total Federal contribution for design and construction of the facility by the percentage derived by dividing the number of months remaining in the term of this MCCA by 300 (25 years). Service Secretaries may waive this clause for individual facilities when he/she determines reductions in strength of the Army National Guard of the United States or the Air National Guard of the United States will cause an undue financial hardship on the Grantee.

### Section 202. Obligations of NGB.

a. Whenever terms of this MCCA provide for reimbursement or cost sharing by the Federal government, NGB shall reimburse the Grantee for allowable costs incurred in performance of this MCCA, according to terms and conditions for such reimbursement set forth herein.

b. Whenever the terms of this MCCA provide for approval by NGB, such approval will not be unreasonable withheld. Any request for such approval shall be considered and acted upon by NGB in a timely fashion.

c. The obligations of NGB are subject to the availability of Federal funds for the MCCA and the Grantee's funding contribution for its share of this MCCA.

## ARTICLE III – COSTS

### Section 301. General.

NGB shall reimburse the Grantee for allowable costs incurred in performance of this MCCA.

### Section 302. Estimated Cost.

- a. Total estimated costs of this MCCA are specified in Appendix/Appendices.
- b. The Grantee shall share in costs of this MCCA performance as provided for in approved budgets of the Appendices.

### Section 303. Cost Sharing.

a. Wherever any item of cost for performance of this MCCA, as listed in a budget in the Appendices, is identified to be funded in part by NGB reimbursement, NGB shall be obligated to reimburse the Grantee only for its percentage share of total costs that would otherwise be allowable under this MCCA.

b. Cost Share Percentage. For the purposes of liquidating the Grantee's obligation to pay for its share of costs, the percentage share of allowable costs for design or construction of the facility to be reimbursed to the Grantee shall be identified in Appendices.

### Section 304. Allowability of Costs.

a. Except as otherwise stated in this article or elsewhere in this MCCA, allowability of costs incurred by the Grantee in performance of this MCCA shall be determined according to 2 CFR Part 200, 32 CFR Part 33, and current PARC policy, the former NGR 5-1 Chapter 5 or successor CNGB Instruction and Manual, effective at the time the cost is incurred. Specifically, the provisions of 2 CFR 200.400 are applicable to costs for awards to States and Local governments, including but not limited to 200.416 (Special Considerations for States, Local Governments and Indian Tribes) and 200.420, et seq. (General Provisions for Selected Items of Cost).

b. Costs for acquisition of real property for purposes of this MCCA are unallowable.

c. Costs of Grantee Improvements are unallowable. These unallowable improvements are facility components in excess of authorized criteria, which will not qualify for Federal reimbursement.

d. In addition to unauthorized activities and charges specified elsewhere in this agreement, unallowable costs identified in General Provisions for Selected Items of Cost 2 CFR 200.420 through 200.475 shall be unauthorized for reimbursement.

e. The allowability of costs has no effect on the maximum funding level of this cooperative agreement. NGB has no liability to reimburse any cost over and above the maximum amount of funding obligated in this cooperative agreement, even if such cost would otherwise be allowable.

### Section 304-A Authorized Charges

a. Personnel.

(1) Payments for salaries, to include approved overtime and allowable benefits in accordance with State personnel policy for the payment of salary and benefits of like State government positions within the same geographic area. If a State has a pay raise, pay freeze or pay cap, a hiring freeze or employee furloughs for like positions throughout the State, then State employees under this Appendix will have corresponding limitations. When there is no like State government position available, salaries and benefits will be equivalent to a comparable grade and series Federal Civil Service position in the geographic area. Raises for Federally-reimbursed State employees and State-contracted personnel will not exceed those of comparable State employees.

(2) Benefit costs include State- or employer-paid Social Security contributions, premiums for workers compensation, medical and unemployment insurance, and the State retirement system.

(3) Costs for merit and incentive awards based on performance providing the awards are part of a program available and consistent with those offered to similar State government positions.

(4) Overtime required by Fair Labor Standards Act (FLSA), based on the work schedule authorized by the State. When operational requirements or personnel circumstances dictate additional staffing in support of the mission, overtime may be authorized as specified in the appendix to satisfy minimum staffing requirements. Overtime may be approved on an exception basis (filling for sick or annual leave, emergency, or training, etc.).

b. Costs for travel expenses and per diem, at a rate consistent with State travel regulations, for performing activities authorized under that appendix or separate agreement away from their home office.

c. Costs of training for qualification in accordance with established work center requirements, and as authorized in each appendix.

d. Costs for facilities, equipment and supplies required or reasonably necessary to perform the activities specified or described in each appendix or separate agreement.

e. Any other charges or activities not otherwise authorized require prior approval by the OPR-PM or as specified in that appendix.

f. Advance Agreements on Allowability of Costs.

(1) No cost incurred by the Grantee that is contrary to any restriction, limitation, or instruction contained in any approved Budget and/or Financial Plan under this MCCA shall be allowable.

(2) The costs of compensation for personnel services, including but not limited to the costs of premiums for workmen's compensation, unemployment compensation, State sponsored life/health insurance, and retirement benefits, shall be allowable as specified in current PARC policy, the former NGR 5-1 Chapter 5 or successor CNGB Instruction and Manual, and 2 CFR 200.431.

(3) Other specific agreement on costs, such as Pre-Agreement Costs. NONE.

#### **Section 305. Unauthorized Activities/Charges and Costs.**

Unallowable, unauthorized activities and costs/charges. In addition to the unauthorized activities and charges that may be identified in each specific Appendix, unallowable costs identified in General Provisions for Selected Items of Cost, throughout 2 CFR §200.420 through 2 CFR §200.475 shall be unauthorized for reimbursement.

#### **Section 306. Project Close-Out and Settlement.**

Within number of days as specified in current PARC policy, the former NGR 5-1 or successor CNGB Instruction and Manual under "Final Accounting and Settlement" of final completion of the project (execution date of the NGB Form 593 PROJECT INSPECTION REPORT by the State and the USPFO), or upon termination of this MCCA, whichever comes earlier, the State shall promptly deliver to NGB a full and final accounting liquidating all payments or reimbursements under this MCCA. After completion of the State's final accounting, NGB shall make a final settlement of the total NGB contribution for this MCCA. Costs incurred for performance of the project which are not disclosed by the State shall not be eligible for reimbursement by NGB. At its sole discretion, NGB may extend the time limit for good cause shown.

## ARTICLE IV - FUNDING LIMITATIONS

### Section 401. Funding Limitation.

- a. NGB funding limitations for design and construction are separately specified in Appendices.
- b. Within its discretion, NGB may unilaterally increase maximum funding limitations reflected in the Appendices at any time.
- c. Project Funding and Appropriation Limitation. Funding is limited to availability at NGB and the limits in appendices of the current MCCA or MCCA modification. Due to appropriation limitations, NGB funding authority for project construction shall not exceed current Congressional limitations and DoD Directives. Exceeding these limitations can only be done through Congressional Reprogramming.

### Section 402. Method of Funding.

This MCCA shall be funded for each phase, according to Appendices.

### Section 403. Grantee Advance Funding of Design Option.

- a. Within its discretion, the Grantee may contract, and fund the payment of costs, for preparation of project design documents in order to fulfill its obligation to provide project design documents. To the extent that "Federally-reimbursed" costs are required, the Grantee's incurrence of costs shall be made on behalf of NGB; NGB shall reimburse the Grantee for these costs.
- b. Limitations in this article relate to funds necessary for reimbursement to the Grantee for its design costs. The fact that Federal funds may not be available for obligation, or obligated to this MCCA, or available for reimbursement of Grantee costs until completion of project design documents by the Grantee or the beginning of construction of the project, shall not be grounds for claim by either party that this MCCA is unenforceable because of failure of consideration.
- c. Design costs associated with this project incurred by the Grantee in advance of this MCCA may not exceed the amounts identified in Appendix SD and may be reimbursed in accordance with Section 403.d. below.
- d. Obligation of NGB for Federal reimbursement of Grantee costs for design requires a pre-agreement be in place and is typically contingent upon one or more of the following conditions being met:
  - (1) Congressional appropriation of project MILCON construction funds, or
  - (2) Congressional language directing Project Design, or
  - (3) Inclusion of Project in the Future Year Defense Plan.
- e. In all conditions the design meet all NGB design criteria as set forth in the appropriate NGB design guides and regulations.

## ARTICLE V – PAYMENT

### Section 501. General.

There are only two payment methods authorized in the execution of this MCCA, the reimbursement method and the advance method. Either payment method may be used, pursuant to the policy and procedures in current PARC policy, the former NGR 5-1 Chapter 11 or successor CNGB Instruction and Manual; the award term for the method not chosen requires a strikethrough.

### ~~Section 502. Payment by the Reimbursement Method.~~

~~Reimbursement method payments shall be according to procedures established by the Defense Finance and Accounting Service (DFAS), DoD Financial Management Regulation 7000.111 volumes 11A and 11B and current PARC policy, the former NGR 5-1 Chapter 11 or successor CNGB Instruction and Manual.~~

### Section 503. Payment by Advance Method.

NGB may reimburse the Grantee in advance. The advance payment method shall be according to procedures established by the Defense Finance and Accounting Service and current PARC policy, the former NGR 5-1 Chapter 11 or successor CNGB Instruction and Manual, Chapter 11.

### Section 504. Direct Federal Payment of Grantee Obligations.

In no event, shall the USPFO make direct payment to a Grantee contractor, Grantee employee, contractor employee, or Grantee vendor for any costs incurred by the Grantee under this MCCA.

### Section 505. Interest.

The amount of interest due the United States on funds advanced to the Grantee or interest due the Grantee shall be determined and paid in accordance with 31 U.S.C. § 6503 and the items of the Cash Management Improvement Act Agreement in effect between the Grantee and U.S. Treasury and regulations as issued by the U.S. Department of Treasury and the Department of Defense, as amended. For interest on advance payments see 31 U.S.C. 6503, 32 C.F.R. § 33.21.

## ARTICLE VI – DEFINITIONS

### **Section 601. Air National Guard Military Construction Cooperative Agreement.**

Refer to MCA Section 601.

### **Section 602. Air National Guard.**

Refer to MCA Section 602.

### **Section 603. Airport Authority.**

A Public Agency controlling a Public Airport. A Public Agency means a State or Territory or District of Columbia or any agency of a State, Territory or District of Columbia, a Municipality or other political subdivision of a State, et. al., a tax supported organization, or an Indian tribe or pueblo. Public Airport means an airport which is used for or to be used for public purposes, under the control of a public agency, and the landing area of which is publicly owned. [Extracted from Public Law 97-248].

### **Section 604. Chief, National Guard Bureau.**

Chief, National Guard Bureau, means the head of the National Guard Bureau, or his or her designee.

### **Section 605. Construction.**

Construction means the erection, installation, or assembly of a new facility; the relocation of a facility; the complete replacement of an existing facility; or the expansion, extension, alteration/conversion (to a new type use) of an existing facility. This includes equipment (not furniture) installed and made a part of the facility, related site preparation, excavation, backfilling, landscaping, or other land improvements. It also includes increases in components of facilities for functional reasons and the extension of utilities to areas not previously served. The Federal reimbursement of project costs cannot exceed the statutory ceiling in 10 U.S.C. 18236(b).

### **Section 606. Equipment (Non-Military).**

Refer to MCA Section 606.

### **Section 607. Fiscal Year.**

Refer to MCA Section 607.

### **Section 608. Estimated Construction Costs.**

Refer to PROJECT CONSTRUCTION FINANCE PLAN found in the Technical Appendix – Grantee Construction or Grantee Utility Connection.

### **Section 609. Grantee.**

Refer to MCA Section 609.

### **Section 610. Grants Officer.**

Refer to MCA Section 610.

### **Section 611. Grants Officer Representative.**

Refer to MCA Section 611.

**Section 612. In-Kind Assistance.**

Refer to MCA Section 612.

**Section 613. Military Equipment.**

Refer to MCA Section 613.

**Section 614. National Guard Bureau.**

Refer to MCA Section 614.

**Section 615. Design Services.**

Design services mean any service necessary, or reasonably related to, investigation of a construction site for suitability, layout, engineering requirements, or development of plans and specifications for construction, preparation of construction estimates, reproduction of construction contract bid documents, or supervision and inspection of construction.

**Section 616. Operation and Maintenance Activities.**

Refer to MCA Section 616.

**Section 617. State.**

Refer to MCA Section 617.

**Section 618. Territory.**

Refer to MCA Section 618.

**Section 619. The Adjutant General.**

Refer to MCA Section 619.

**Section 620. United States Property and Fiscal Officer (USPFO) (Grantor)**

Refer to MCA Section 620.

**Section 621. Unit.**

Refer to MCA Section 621.

**Section 622. Grantee (State) Improvements.**

Grantee improvements is other work to facilities or portions of facilities included within the scope of the project, as identified in appendices to this MCCA, which are desired by the Grantee and for which Grantor will make no reimbursement of funds for either design or construction.

## ARTICLE VII - GENERAL PROVISIONS

### **Section 701. Term of Agreement.**

Refer to MCA Section 701.

### **Section 702. Sole Benefit.**

Refer to MCA Section 702.

### **Section 703. Modification.**

Refer to MCA Section 703.

### **Section 704. Successors and Assigns.**

Refer to MCA Section 704.

### **Section 705. Entire Agreement.**

Refer to MCA Section 705.

### **Section 706. Severability.**

Refer to MCA Section 706.

### **Section 707. Waiver of Breach.**

Refer to MCA Section 707.

### **Section 708. Notices.**

Refer to MCA Section 708.

### **Section 709. Execution.**

Refer to MCA Section 709.

### **Section 710. Conflict of Interest.**

Refer to MCA Section 710.

### **Section 711. Access to and Retention of Records.**

The Grantee shall afford any authorized representative of NGB, the Department of Defense, or the Comptroller General access to and the right to examine all records, books, papers, and documents ("Records") that are within the Grantee's custody or control and that relate to its performance under this MCCA. The Grantee shall retain all such records intact in such form, if not original documents, as may be approved by NGB for at least ten (10) years following project, completion or termination.

### **Section 712. Change of Circumstances.**

Refer to MCA Section 712.

### **Section 713. Liability and Indemnity.**

Refer to MCA Section 713.

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## ARTICLE VIII – APPLICABLE LAWS AND REGULATIONS

### **Section 801. Applicable Law.**

This MCCA is incidental to implementation of a Federal program. Accordingly, this MCCA shall be governed by and construed according to Federal law as it may affect rights, remedies, and obligations of the United States.

### **Section 802. Governing Regulations.**

Refer to MCA Section 802.

### **Section 803. Officials Not to Benefit.**

No member of or delegate to Congress, or resident commissioner, shall be admitted to any share or part of this agreement, or to any benefit arising from it, in accordance with 41 U.S.C. 22.

### **Section 803-A Nondiscrimination.**

Refer to MCA Section 803.

### **Section 804. Lobbying.**

Refer to MCA Section 804.

### **Section 805. Drug-Free Work Place.**

Refer to MCA Section 805.

### **Section 806. Environmental Protection.**

Refer to MCA Section 806.

### **Section 807. Use of United States Flag Carriers.**

Refer to MCA Section 807.

### **Section 808. Debarment and Suspension.**

Refer to MCA Section 808.

### **Section 809. Buy American Act.**

Refer to MCA Section 809.

### **Section 810. Uniform Relocation Assistance and Real Property Acquisition.**

Refer to MCA Section 810.

### **Section 811. Copeland "Anti-Kickback" Act. *(All contracts and sub-grants for construction or repair.)***

Refer to MCA Section 811.

### **Section 812. Contract Work Hours and Safety Standards Act.**

Refer to MCA Section 812.

**Section 813. Construction Wage Requirement Statute (formerly known as Davis Bacon Act)**

Not Applicable

**Section 814. National Historic Preservation.**

*(Any construction, acquisition, modernization, or other activity that may impact a historic property.)*

The Grantee covenants and agrees to identify to the awarding agency any property listed or eligible for listing on the National Register of Historic Places that will be affected by this award, and to provide any help the awarding agency may need, with respect to this award, to comply with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470, et seq.), as implemented by the Advisory Council on Historic Preservation regulations at 36 CFR Part 800 and Executive Order 11593.

*(36 CFR Part 800 requires Grants Officers to get comments from the Advisory Council on Historic Preservation before proceeding with Federally assisted projects that may affect properties listed on or eligible for listing on the National Register of Historic Places.)*

**Section 815. Hatch Act.**

The Grantee covenants and agrees to comply with the Hatch Act (5 U.S.C. 1501 - 1508 and 7324 - 7326), as implemented by the Office of Personnel Management at 5 CFR Part 151, which limits political activity of employees or officers of State or Local governments whose employment is connected to an activity financed in whole or part with Federal funds.

**Section 816. Equal Employment Opportunity.**

*(All construction contracts awarded in excess of \$10,000 by grantees and their contractors or subgrantees.)*

The Grantee covenants and agrees to comply with Executive Order 11246 of September 24, 1965 entitled "Equal Employment Opportunity," as amended by Executive Order 11375 of October 13, 1967 and as supplemented in Department of Labor regulations (41 CFR Chapter 60).

**Section 817. Cargo Preference.** *(Any agreement under which international air travel may be supported by U.S. Government funds.)*

The Grantee covenants and agrees that it will comply with the Cargo Preference Act of 1954 (46 USC Chapter 553), as implemented by Department of Transportation regulations at 46 CFR 381.7, which require that at least 50 percent of equipment, materials or commodities procured or otherwise obtained with U.S. Government funds under this Agreement, and which may be transported by ocean vessel, shall be transported on privately owned U.S. flag commercial vessels, if available.

**Section 818. Preservation of Open Competition and Government Neutrality Towards Government Contractors' Labor Relations on Federal and Federally Funded Construction Projects.**

The Grantee covenants and agrees that it will comply with Executive Order 13202 of February 17, 2001, Preservation of Open Competition and Government Neutrality Towards Government Contractors' Labor Relations on Federal and Federally Funded Construction Projects, as amended on April 6, 2001.

**Section 819. System for Award Management and Data Universal Numbering Requirements.**

Refer to MCA Section 813.

**Section 820. Reporting Subawards and Executive Compensation**

Refer to MCA Section 814.

## ARTICLE IX – PROCUREMENT

### **Section 901. Procurement Procedures Applicable to States.**

See MCA Attachment A – 2 CFR Part 200 Award Provisions, Part 6, particularly Articles I and III. The Grantee's acquisition of goods and services in performance of this MCCA shall be in accordance with applicable State contracting procedures and the standards and procedures cited in the preceding sentence.

### **Section 902. Grantee Contract Flow-down.**

As specified in MCA Attachment A – 2 CFR Part 200 Award Provisions, Part 6, Article I §D, State contracts issued in support of the Grantee's responsibilities pursuant to this agreement must conform to the requirements of Part 6, Article III, unless State laws or regulations offer more protection.

## ARTICLE X – PROPERTY

### Section 1001. Equipment.

a. Equipment purchased by the Grantee under the terms of this agreement becomes the property of the State and will be managed, used, and disposed of in accordance with 2 CFR §200.313, and current PARC policy, the former NGR 5-1 Chapter 8 or successor CNGB Instruction and Manual.

b. Equipment purchased by the Federal government, including equipment acquired specifically for a National Guard Cooperative Agreement, vests in the Federal Government. This equipment shall be managed, used, and accounted for as provided in 2 CFR 200.313(d), and current PARC policy, the former NGR 5-1 Chapter 8 or successor CNGB Instruction and Manual.

c. Equipment purchased by the Federal government and issued to the State is Government Furnished Equipment (GFE). The title to GFP/GFE vests in the Federal government and cannot be transferred to the State and therefore cannot be considered as In-Kind Assistance (IKA).

### Section 1002. Operating Materials and Supplies.

a. Items to be consumed in normal operations purchased by the State under the terms of this agreement become the property of the State and will be managed and disposed of in accordance with 2 CFR Part 200, and current PARC policy, the former NGR 5-1 Chapter 8 or successor CNGB Instruction and Manual.

b. Supplies purchased by the Federal government shall be managed, used, and accounted for as provided in 2 CFR §200.314, and current PARC policy, the former NGR 5-1 Chapter 8 or successor CNGB Instruction and Manual. State use of Federal supplies and materials may be considered as IKA.

## ARTICLE XI - LEGAL AUTHORITY

### Section 1101. Legal Authority.

The Grantee represents and warrants that it is under no existing or foreseeable legal disability that would prevent or hinder it from fulfilling terms and conditions of this MCCA. The State shall promptly notify NGB of any legal impediment that arises during the term of this MCCA that may prevent or hinder the Grantee's fulfillment of its obligations under this MCCA.

### Section 1102. Opinion of Counsel.

Concurrent with its execution of this MCCA, the Grantee's highest legal officer, or his or her designee, certifies by signature approval as to legal form of this MCCA, that.

- a. The Grantee has the requisite authority to enter into this MCCA.
- b. The Grantee can make the warranty set forth in Section 1101 above;
- c. The Grantee is empowered to assume responsibilities and obligations the Grantee proposes to undertake under this MCCA;
- d. The provisions of this MCCA intended to secure NGB interests are enforceable according to their terms;
- e. The execution of this MCCA has been duly authorized by the State; and
- f. That the individual signing this MCCA on behalf of the Grantee has the requisite legal authority to bind and obligate the Grantee to terms and conditions of this MCCA.

## ARTICLE XII - TERMINATION, ENFORCEMENT, CLAIM AND DISPUTE RESOLUTION

### Section 1201. Termination.

This MCCA may be terminated by either party according to terms and conditions of 32 CFR § 33.44.

### Section 1202. Enforcement.

a. NGB may take such actions to enforce terms of this MCCA as may be provided for in and under terms of 32 CFR § 33.43.

b. Circumstances under which NGB may take actions provided in Section 1202.a. above includes, but shall not be limited to, the following:

(1) Failure by the Grantee to appropriate funds sufficient for its share of project costs;

(2) Unreasonable failure by the Grantee to begin, prosecute, or complete construction of the Project;

(3) Failure by the Grantee to substantially complete construction in accordance with Project Design Documents, approved and accepted in accordance with terms of this MCCA.

### Section 1203. Claims, Disputes Resolution and Appeals.

a. Any claim made by the Grantee arising out of this MCCA shall be presented in writing to the Grants Officer. The claim shall include: the amount of monetary relief claimed or the nature of other relief requested, the basis for relief, and the documents or other evidence pertinent to the claim.

b. Claims shall be made within 60 days after the basis of the claim is known or should have been known, whichever is earlier. It is the Grantee's duty to include in its claim all information needed to demonstrate its timeliness.

c. Upon receipt of a claim, the Grants Officer shall provide a written decision denying or sustaining the claim, in whole or part, which decision shall include the reason for the action, within 60 days of the date of the receipt of a claim. The determination shall be final unless appealed by the Grantee pursuant to the provisions of this section.

d. Alternative Dispute Resolution (ADR).

(1) Policy. It is NGB policy to try to resolve all issues concerning cooperative agreements at the Grants Officer's level. Grant Officers are encouraged to use ADR procedures to the maximum extent practicable.

(2) Procedures. If a Grantee decides to appeal a Grants Officer's decision, the Grants Officer shall encourage the State to enter into ADR procedures. The ADR procedures to be used shall be agreed to at the time the parties determine to employ them.

e. Appeals.

(1) Grant Appeal Authority. The CNGB shall designate a Grants Appeal Authority at the time of receipt of appeal.

(2) Right of Appeal. The Grantee has the right to appeal a Grants Officer's decision to the Grant Appeal Authority.

(3) Appeal Procedures.

(a) Notice of appeal. The TAG may appeal a decision of the Grants Officer within 90 days of receiving that decision, by filing a written notice of appeal to the Grant Appeal Authority and to the Grants Officer.

(b) Appeal file. Within 30 days of receiving the notice of appeal, the Grants Officer shall forward to the Grant Appeal Authority and the Grantee the appeal file, which shall include copies of all documents relevant to the appeal

(c) Decision. Any fact-finding or hearing shall be conducted using procedures that the Grant Appeal Authority deems appropriate.

f. Final Appeal. If the Grantee is not satisfied with the opinion/decision of the CNGB, the Grantee can take the case to Federal Court. Nothing in this section is intended to limit a Grantee's right to any remedy under the law.

### ARTICLE XIII - Agreement Particulars.

The information below shall be recorded by the Grants Officer's Representative (GOR) for the compliance with the reporting requirements of the DoD Assistance Award Action Report System (DAADS) and the Federal Funding Accountability and Transparency Act of 2006.

a. Grantee/Recipient Category:	Government
b. Grantee/Recipient Type:	State Government
c. Grantee/Recipient DUNS:	003592743
d. Primary Place of Performance (Project Location):	McEntire Joint National Guard Base, South Carolina
e. Grantee/Recipient County (Primary Place of Performance):	Richland
f. Grantee/Recipient Congressional District (Primary Place of Performance):	SC 6 <sup>th</sup> District
g. Major Agency:	DOD
h. Agency Code:	2100
i. Funding Agency:	Air
j. Program Source Agency:	57
k. Transaction Type:	Cooperative Agreement
l. CFDA:	12.400
m. CFDA Program Title:	Military Construction National Guard
n. Program Source Account-Funding:	3830
o. Treasury Appropriation Code:	3830
p. Award/Obligation/Action Date:	OCT 2020
q. Starting Date:	DEC 2020
r. Ending Date:	APR 2021
s. Record Type:	Individual Action
t. Fiscal Year/Quarter:	2020/4th
u. Unique Federal Award Identification Number (FAIN)	W912QG-20-2-2101
v. Approved Budget Amount:	\$560,000
w. R&D Award (Yes or No)	No
x. Indirect Cost Rate or CPP Rate:	N/A



TECHNICAL APPENDIX

UTILITY CONNECTION

PROJECT DESCRIPTION, SCOPE, AND SCHEDULE

PROJECT DESCRIPTION

Extend sewer force main from the South Carolina Air National Guard (SCANG) treatment plant located in MJNGB to Richland County sanitary sewer system location off-base. Modify existing SCANG wastewater treatment facility, install new lift station to include backup generator and transfer switch. Provide site improvements and utility service connections.

PROJECT SCOPE

The installation requires a properly sited, adequately sized, and appropriately configured sanitary sewer system which has the capacity to collect and convey the required waste water flows to a treatment facility for an acceptable point of discharge for the 169th FW (SCANG) in support of 24 PAA F-16's aircraft. The system must be practical, economically feasible and located to minimize the cost of installation, operation and maintenance. The sewers and appurtenances must be structurally sound, and must protect the environment from pollution caused by leakage at pipe joints or manhole structures. Extend sewer force main from the SCANG treatment plant to Richland County sanitary sewer system location off-base. Modify existing waste water treatment facility, install new lift station to include backup generator and transfer switch. Provide site improvements and utility service connections.

Richland County has completed the design, which included SCANG's portion of the project, and have awarded the project for construction, excluding the SCANG's portion. Work performed on the installation includes dredging, grading, excavation, and saw cutting concrete. In addition, this project includes installing and testing a lift station, suction lift emergency pump, force main and water line.

PROJECT SCHEDULE

Request as follows: [Show all significant schedule dates i.e., construction start and completion dates, etc.]	Status	Comments
Project Design	100%	Complete
Project Review and Permitting	100%	Complete
Project Bidding	100%	Complete
Award of Construction Contract	100%	Complete
Construction of force main from McEntire to Eastover Plant	28%	Complete
Begin construction of on base infrastructure (McEntire)	Dec-20	Estimated
Complete Construction of on base infrastructure (McEntire)	March 2021	Estimated
Complete Construction, Testing and Place System in operations	April 2021	Estimated
Funding Drop Dead Date	30-Oct-2020	

Note: DD Form 1391 documentation is used to establish scope.

SAMPLE SPECIFICATION (See AFI 32-1061 attachments).

SEWAGE SERVICE SPECIFICATION Public Sanitary Sewer & Water Regulations and Specifications Manual, dated July 2016.

(a) SPECIFIC PREMISES TO BE SERVED: McEntire JNGB

(b) ESTIMATED SERVICE:

Estimate annual volume: 6,809,440 gallons. (The government is neither obligated to use, nor is it restricted to, the above estimate.)

(c) SERVICE TO BE RENDERED. Richland County shall furnish a sanitary sewer connection and sanitary sewage service that shall receive, carry, treat, and dispose of all sanitary sewage originating at MJNGB. Richland County shall operate the sewage disposal and treatment facilities in conformity with applicable laws, rules, and regulations promulgated by Federal, State, and Local authorities.

(d) METERING. (Use the applicable provision.)

The sewage received by Richland County shall be measured by 1000 gallons

(e) SIZE OF SEWER TO POINT OF DELIVERY. 3-inch diameter from base lift station to 16-inch force main on Air Base Rd.

(f) RATE SCHEDULE. \$4.12 per 1000 gallons

The County Council has the authority to review and make rate changes for all the customers. If a rate change is adapted it will be communicated to all the customers.

## TECHNICAL APPENDIX

### UTILITY CONNECTION

#### STATEMENT OF WORK

1. **Purpose.** This statement of Work defines the Grantee's obligation in providing Grantee construction for a project to be supported in full with ANG \_\_\_\_\_SRM\_\_\_\_\_ funding.

#### 2. **Scope of Responsibilities and Administration.**

2.1. Upon acceptance of the Project Design Documents, the Grantee will contract for the construction of the Project according to this MCCA.

2.2. The Grantee shall carry out the construction of the Project in strict accordance with the Project Design Documents.

2.3. **NGB Approval of Construction Documents.** Unless authority is delegated, the Grantee shall provide any proposed contract(s) for construction of the Project to NGB for its review, comment, and approval prior to the Grantee's execution of the contract. By formal written notice, NGB shall provide the Grantee with its comments, approval or disapproval within 30 days of its receipt of the proposed Grantee contract(s). NGB may disapprove the contract(s) only for the following reasons:

2.3.1. The contract price exceeds the amount in the finance plan for construction in this Appendix; or,

2.3.2. The contract price exceeds the amount in the finance plan for construction in this Appendix; or,

#### 2.4. **Inspection and Acceptance of Construction.**

2.4.1. The Grantee shall be responsible for inspection and acceptance of the work by its construction contractor(s). ANG shall not issue directions to any Grantee contractor and shall communicate with a Grantee contractor only through, or with the permission of, an authorized Grantee representative.

2.4.2. Upon the USPFO's concurrence with final acceptance, final reimbursement of construction costs shall be made and the project shall be considered complete.

#### 3. **Project Finance Plans.**

3.1. The project finance plan is the maximum amount for which NGB is obligated to reimburse the Grantee for the costs of performance of this MCCA. The amount of any project finance plan line item cost limitation shall not be exceeded.

3.2. Unless otherwise provided for in the project finance plan, any line item therein may be changed only by amendment of this MCCA. Either party may propose a change to a finance plan by submitting such proposal in writing to the other party.

3.3. Grantee shall obligate funds received from NGB for projects before the end of the current fiscal year. Grantee must forward copy to Base Civil Engineer, USPFO and NGB/A4.

**PROJECT CONSTRUCTION FINANCE PLAN**

[PSTE 202006 ADAL Sanitary Sewer System]

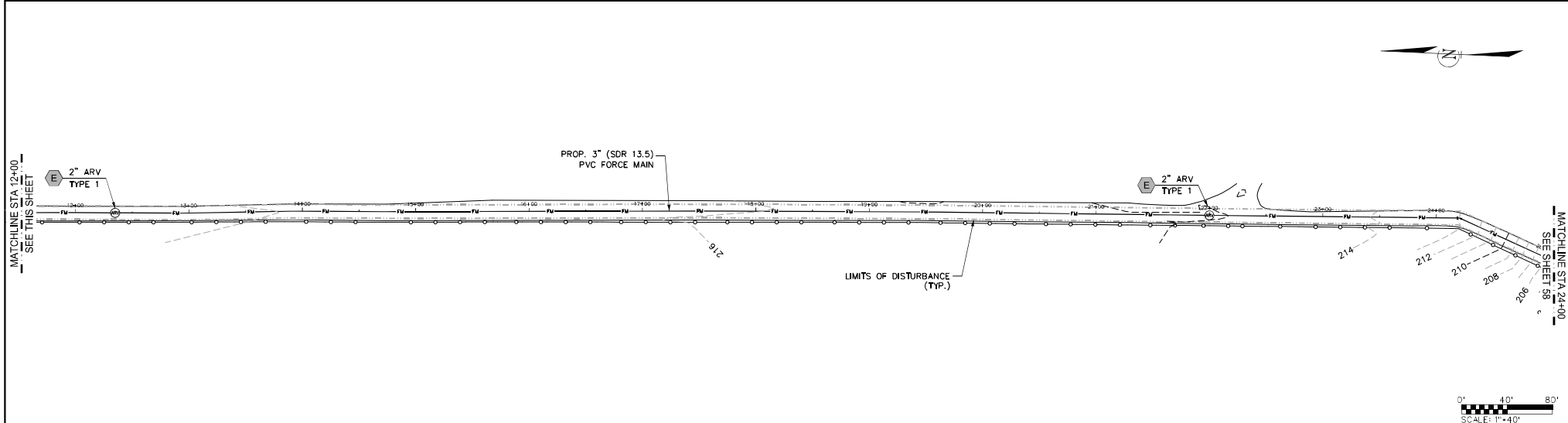
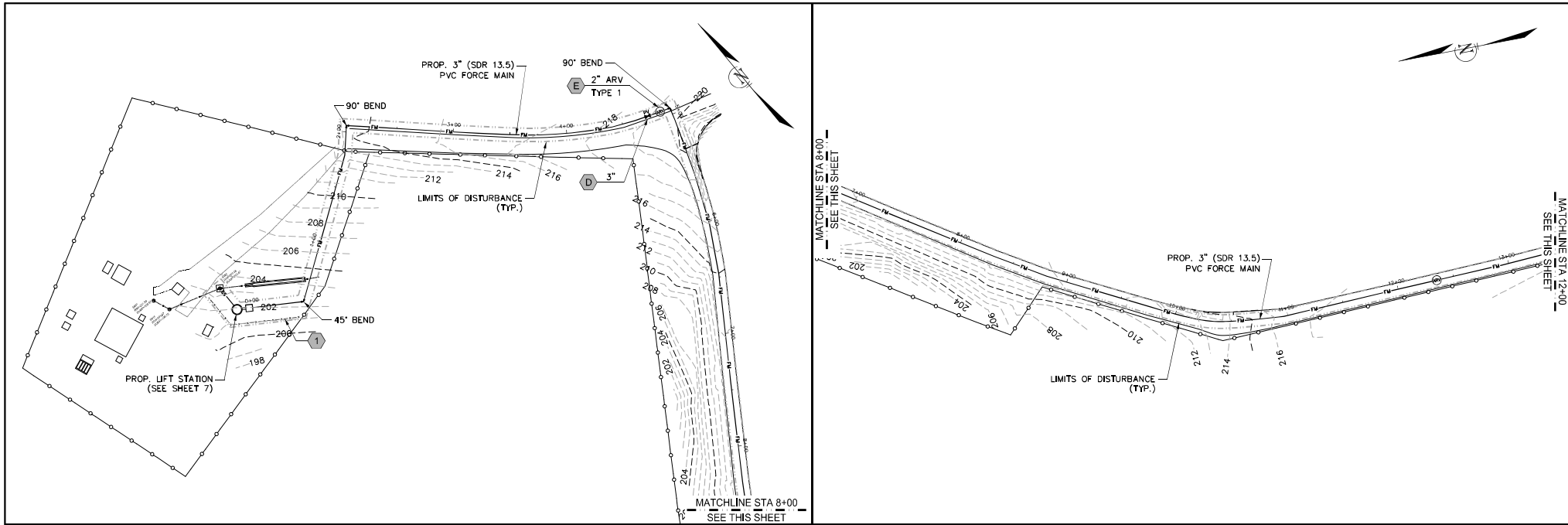
ESTIMATED COST OF CONSTRUCTION: \$ 603,815.34

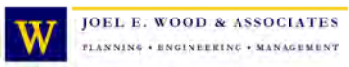

Activity	Estimated ANG Share	Estimated Grantee Share	Estimated Other Share	Estimated Total
Construction of Cost Shared Improvements				
Construction of ANG Improvements	497,380.69			497,380.69
Construction of Grantee Improvements				
Construction Supervision	81,565.62			81,565.62
Contingencies (5%)	24,869.03			24,869.03
<b>Totals</b>	<b>603,815.34</b>			<b>603,815.34</b>

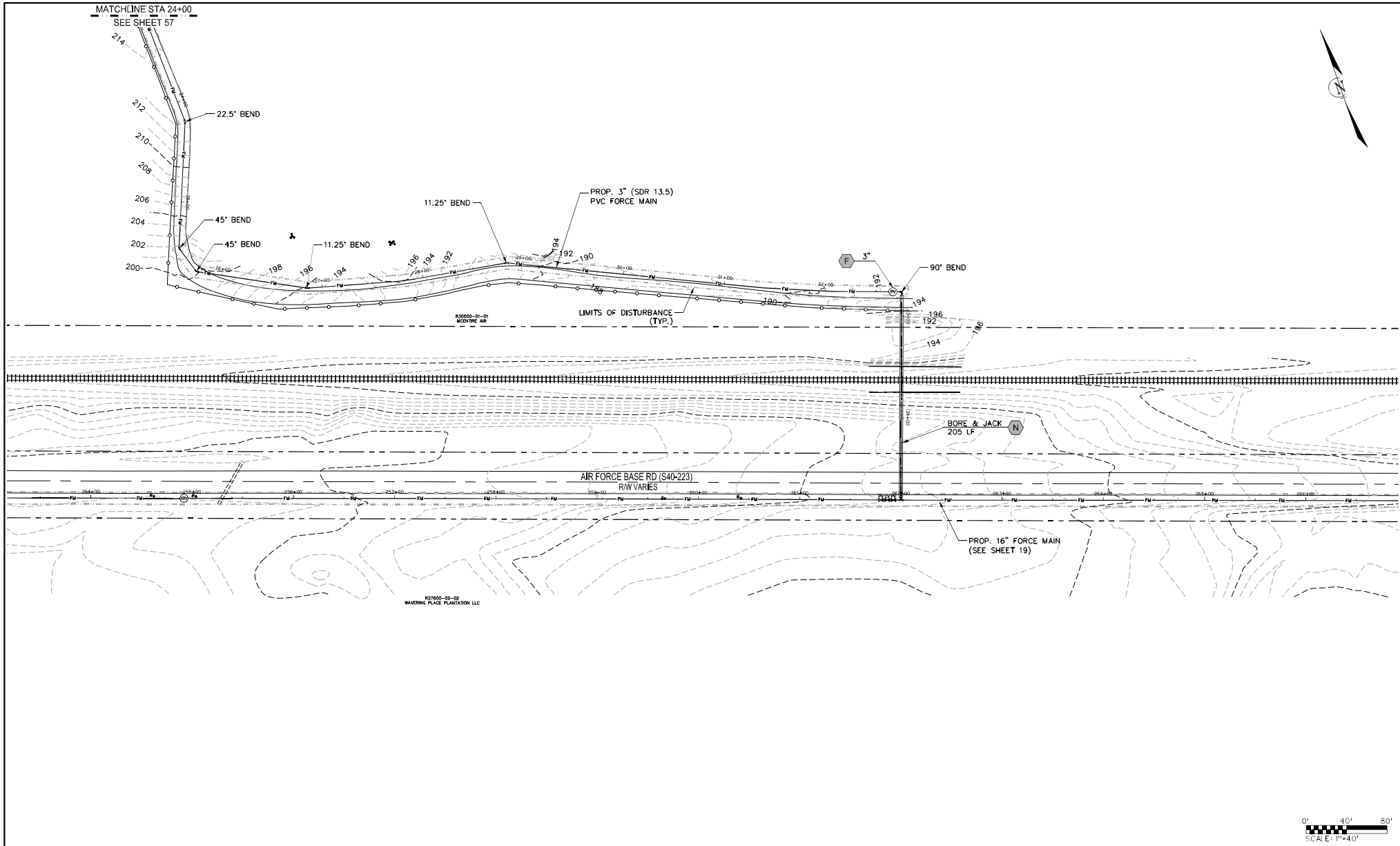
(Project Construction Finance Plan to level of detail necessary or desired for control of expenditures. The Project Construction Finance Plan should indicate the actual amount of Grantee, ANG and other sources of funds.)

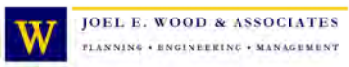

**Project Construction Finance Plan Notes, Terms and Conditions:**

1. This Project Construction Finance Plan is incorporated into this Appendix for the purpose of identifying shared costs.
2. The ESTIMATED CONSTRUCTION COSTS represents the "TOTAL" cost to execute the construction and is inclusive, but not limited to, the following: Construction Cost, Contingency Amount, Supervision, Overhead and Inspection in support of the construction, and Agency surcharge, if any.



<b>APPROVALS</b> PROJECT ENGR: JEW DRAWN BY: DER CHECKED BY: ACC REVIEW: _____ BID: _____ CONSTRUCTION: _____		<b>PREPARED BY</b>  JOEL E. WOOD & ASSOCIATES PLANNING • ENGINEERING • MANAGEMENT P.O. BOX 296 CLOVER, SC 29710 (803) 684-3390		<b>SEALS</b> 		<b>PROJECT</b> SOUTHEAST RICHLAND COUNTY SEWER SYSTEM & SOUTHEAST WATER SYSTEM EXPANSION RICHLAND COUNTY, SOUTH CAROLINA PREPARED FOR RICHLAND COUNTY UTILITIES		<b>SHEET TITLE</b> McENTIRE JNGB 3" FORCE MAIN STA. 0+00 - 24+00		<table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>REVISIONS</th> <th>BY</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>		NO.	DATE	REVISIONS	BY																																									SCALE: 1"=40' DATE: 9/1/2019 JOB NO.: 190104.2 SHEET 57 OF 81	
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<b>APPROVALS</b> PROJECT ENGR: JEW DRAWN BY: DER CHECKED BY: ACC REVIEW: _____ BID: _____ CONSTRUCTION: _____		<b>PREPARED BY</b>  <b>JOEL E. WOOD &amp; ASSOCIATES</b> PLANNING • ENGINEERING • MANAGEMENT P.O. BOX 296 CLOVER, SC 29710 (803) 684-3390		<b>SEALS</b> 		<b>PROJECT</b> <b>SOUTHEAST RICHLAND COUNTY SEWER SYSTEM &amp; SOUTHEAST WATER SYSTEM EXPANSION</b> RICHLAND COUNTY, SOUTH CAROLINA PREPARED FOR <b>RICHLAND COUNTY UTILITIES</b>		<b>SHEET TITLE</b> <b>McENTIRE JNGB</b> <b>3" FORCE MAIN</b> <b>STA. 24+00 - END</b>		<table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>REVISIONS</th> <th>BY</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>		NO.	DATE	REVISIONS	BY																																									SCALE: 1"=40' DATE: 9/1/2019 JOB NO.: 190104.2 SHEET <b>58</b> OF <b>81</b>	
NO.	DATE	REVISIONS	BY																																																						

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF RICHLAND )

**WATER AND SEWER SERVICES**

This Agreement dated, \_\_\_\_\_, 2020, is by and between **McEntire Joint National Guard Base (“McEntire”)** and **Richland County, South Carolina (“County”)**.

The parties, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, agree as follows:

1. The County intends to provide water and sewer services for areas of Southeast Richland County, and McEntire will receive those services in accordance with the provisions set forth herein. The provision of the water or sewer services described herein is contingent upon the availability of funds and authorization of the Richland County Council.
2. General Provisions: Wastewater Project:
  - A. The County is designing a collection system to transport the wastewater generated by McEntire to the County’s Wastewater Treatment Facility (“WWTF”) near Eastover, South Carolina, and some homeowners along the route for the new wastewater collection system.
  - B. McEntire will be responsible for the operation and maintenance of its plant and related expenses through the date of transfer to the County. Upon connection to the County sewer system, McEntire will be relieved of all current electrical, maintenance, chemical addition, and paid operator cost associated with the McEntire wastewater treatment facility. McEntire will still own, operate, and maintain all wastewater collection system within the McEntire Joint National Guard Base (“Base”).
  - C. McEntire will pay monthly usage fees, as established by County Council, once the County begins operation of the wastewater collection and treatment systems at the Base. The usage fee shall be based on actual flow measured at the flow measurement station and shall be billed at the wholesale rate of \$4.12 per 1000 gallons, subject to annual review or change by County. This rate may be adjusted taking into consideration the South Carolina Department of Health and Environmental Control (SCDHEC) and other regulations, as well as costs of operations and maintenance. There shall be no charges for tap fees for connection to the wastewater collection system constructed by the County.
  - D. The County will construct a wastewater collection and transportation system from McEntire to the County’s regional wastewater treatment facility near Eastover, South Carolina. Once the design is completed, the County will initiate a project to connect McEntire to the regional wastewater collection and treatment system once funds or letter are received.

- E. The Parties will execute the easements, deeds, right-of-ways or other documents that must be in place to provide access to lift stations and new infrastructure required to provide collection and transportation of wastewater for McEntire Joint National Guard Base by January 15, 2020. The required easements, deeds, rights-of-way as of the date of this Agreement are as shown on Exhibit A through Exhibit ?? . In addition, these documents will include delineation of who is authorized to enter the site on behalf of the County and how such entry and access will be communicated to McEntire. If such Base and site access approvals are not completed within the timeframe mentioned above and any agreed upon extension, this Agreement will terminate.
  - F. Once construction of the proposed collection system is complete and a “Permit to Operate” is obtained from SCDHEC, McEntire will be responsible for closing out the existing McEntire Wastewater Treatment Facility to the satisfaction of SCDHEC.
  - G. In the event that any additional land is required, up to one (1) acre of McEntire property will be donated and conveyed as part of McEntire's contribution to funding the project. If additional temporary construction easements are required for the closeout of existing facilities, McEntire will provide such temporary construction easements.
3. Other Provisions:
- A. McEntire will upon the County’s initiating construction of the wastewater system described herein contribute a onetime payment of Six Hundred Three Thousand Eight Hundred Fifteen Dollars and 34/100s (\$603,815.34) toward the construction of the project. The contribution will be equal to the cost of the lift station, force main, railroad crossing, and tie to the County’s force main as a bid for the construction of the Project.
  - B. McEntire will provide access to the site during the construction period for the contractor to construct the infrastructure required to connect McEntire to the County’s system. The County will during its bid process require the contractor selected to perform the work to comply with the access rules and regulations of McEntire. McEntire will provide a copy of the access procedures and requirements to be included in the County’s bid package. As part of this Agreement, McEntire and the County will develop a plan that will allow County personnel access to the lift station and force main for normal operation and maintenance of the infrastructure. The access plan will be attached to and become part of this Agreement.
  - C. The County is hereby to use the property in an "as-is" condition and the County, or its assignee(s) or lessee(s), will be responsible for maintenance of the property, any existing facilities, and any capital improvements or equipment installed at or on the property by the County or its assignee(s) or lessee(s). Any capital improvements or equipment installed at or on the property by the County or its assignee(s) or lessee(s) will remain the property of the County, or its assignee(s) or lessee(s), and will, at the option of McEntire, be removed upon cancellation or termination of this Agreement.



- D. The County shall not assign this Agreement to any party without the written consent of McEntire and no assignee or lessee may use this property without the written consent of McEntire. No assignee or lessee shall assign this Agreement without the written consent of McEntire.
- E. McEntire will comply with the Fats, Oils, and Grease (FOG) requirements of Richland County and of SCDHEC, including but not limited to the installation of grease interceptors. McEntire shall be solely responsible for any damages resulting from unauthorized discharges into the wastewater treatment plant and facilities described in this Agreement that occur as a result of the County providing the services outlined herein.
- F. Throughout the term of this Agreement, the County and McEntire each will maintain at its expense a commercial general liability policy with coverage sufficient to meet the limits under the South Carolina Tort Claims Act set forth in Section 15-78-120, as amended, or a comparable self-funded insurance program.
- G. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid, the remainder of the Agreement shall not be affected thereby and shall remain in force.
- H. All notices or other communications required or permitted to be given pursuant to this Agreement shall be in writing and shall be deemed to have been given or delivered when deposited in the mail, postage paid, registered or certified mail, return receipt requested, or delivered to a private courier providing evidence of receipt as part of the services, and addressed to the parties as follows:

Richland County  
Attn: Richland County Administrator  
2020 Hampton Street  
P.O. Box 192  
Columbia, South Carolina 29202

McEntire Joint National Guard Base  
Attn: Commanding Officer  
169<sup>th</sup> Fighter Wing  
McEntire JNGB, SC

- I. This Agreement may not be modified or amended except by a written instrument signed by or on behalf of both parties by their duly authorized representatives. No amendment, modification, or termination of this Agreement and no waiver of any provision or consent required hereunder shall be valid unless consented to in writing by both parties.

IN WITNESS WHEREOF, the parties hereto, each after due authorization, have executed this agreement on the respective dates indicated below.

**McEntire Joint National Guard Base**

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: COMMANDING OFFICER

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date:

**Richland County, South Carolina**

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: RICHLAND COUNTY ADMINISTRATOR

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date:

authorizing certain infrastructure credits; the execution and delivery of a purchase and option agreement; the transfer of approximately 15 acres of real property located in Richland County; the granting of an option on an additional approximately 15 acres of adjacent real property; and other related matters – Mr. Livingston moved, seconded by Mr. C. Jackson, to approve this item and to have additional information provided to Council prior to Third Reading.

Mr. Malinowski inquired about the value of the 15 acres.

Mr. Ruble stated they valued the land at \$25,000/acre. However, when we put in our costs to acquire it and improve it, the value is about \$18,500.

Mr. Malinowski stated the Exhibit C Resolution does not have an actual date.

Mr. Ruble stated he would double check on this.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

15. **REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE**

- a. **County Utility System** – Mr. Pearce this item is regarding the information that was discussed that the Council Work Session. The committee forwarded this item to Council without a recommendation.

Mr. Malinowski inquired if this is a one reading item.

Dr. Yudice stated this is an item that will require an ordinance.

Mr. Malinowski stated, after hearing what he did from Citizens' Input tonight, he believes there are a lot of unanswered questions about the next item on the agenda, and that item would be included in this overall County utility system. That being included, we need to make sure exactly what we are moving forward on and providing the information needed to these people.

Mr. Malinowski moved, seconded by Mr. N. Jackson, to defer this item.

In Favor: Malinowski, Kennedy, Livingston and Rose

Opposed: C. Jackson, Myers, Pearce, Dickerson and McBride

Abstain: Manning

The motion failed.

Mr. Pearce requested Mr. Khan to give an overview of what is included in this plan.

Mr. Khan stated during the work session he presented that a utility is an asset that we have. The asset has been neglected over the years. It is time for us to go back and revamp and revive it, and do a state of

**Special Called  
October 2, 2018**

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the art system, which we can be proud of. Not doing this could have its own consequences. Essentially, for the generations to come, we will not be able to survive a resilient service to our customers. It is driven by the vision Council had in 1978, wherein we committed that we would provide water and sewer services to all unincorporated Richland County. We made progress over the years. We had a lot of areas where we are covered, but there are a lot of areas which are still lagging behind, and this is the time for us to work on those areas. In addition to that, we have to make our existing infrastructure resilient, strong, and viable. He stated we worked as a team, it was not just his effort. He must commend the team working on this (i.e. Legal, Financial Advisor, Budget). They came to a conclusion for a path forward. The first part of the recommendation is that we make it a combined utility (i.e. one unit working hand in hand from top Northwest of the County to all the way to the Southeast of the County). The second recommendation was that we submitted a capital improvement program for every utility across the Columbia area, and across the State. There are capital improvements, which are continual improvements of the system. Whether it is replace and repair upgrade of the infrastructure or its expansion. They presented a CIP along with that, and they requested that be considered as information and allow them to finalize it and bring it back to Council in the next budget cycle. The third recommendation was there are some issues in hand. They have Broad River Wastewater Treatment Plant and the Broad River region, which have some regulatory weaknesses and issues that have to be resolved. They have to act fast and get those taken care of. There are some compromised systems (i.e. Cedar Cove). They are requested to be allowed to work with financial team to come up with a plan to resolve the regulatory problems, which could become serious issues if they are not resolved in a timely and efficient manner. The fourth recommendation is that all utilities like us have a plan. Utilities operate like an enterprise business. They look at what is the revenue stream? What are the expenses? And, how do we develop a rate structure. They engage a rate study consultant several months ago. The consultant analyzed our finances and rates. With the CIP finalizing they would be able to come back with a revised rate structure in a few months for approval.

Mr. Pearce inquired if it would be accurate to say that if we approved this plan that would give Mr. Khan the resources needed to correct some serious deficiencies we have, it would not, in any way, lock in any sewer system, in any one part of the County that may be of question.

Mr. Khan responded in the affirmative.

Ms. Myers stated on pp. 186-187 are the current wastewater rates for Broad River and Hopkins at \$20.00 for the first 1,000 gallons, and going up in increments up to \$3.87/1,000 gallons for the next 60,000 gallons. Mr. Khan said that he was still working on the revised rate system. She inquired if he expected the revised system to be a multiple of 5 times the current rate.

Mr. Khan stated he does not believe it will, but for clarification the rate Ms. Myers was quoting was for water and not wastewater.

Ms. Myers inquired if when the rate structure is revised it would be \$120 - \$130 per month.

Mr. Khan stated he does not expect that. He cannot commit to that, but he has a strong conviction that it would not be that much.

Ms. Myers requested, for the record, Mr. Khan to state the range of preliminary numbers he gave to Council.

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Mr. Khan stated currently the wastewater is \$44.54 for Broad River. At this time, he is not prepared to commit to any number, but he would not expect it to be 4 or 5 times more.

Ms. Myers stated you would expect it to go lower as more people are added to the system.

Mr. Khan stated that is correct, but there would be a time where they would have to ramp up the rate to a level where we capture the backlog or deficiencies in the system. Once they get the system back to normal it would just be maintenance and monitoring.

Ms. Myers stated when Mr. Khan did the first workshop he gave Council an estimate between \$45 - \$70 per month. She inquired if he would expect it to be wildly off that number.

Mr. Khan stated his best guess, in the first 3 – 5 years, it will not exceed \$70.

Ms. Myers stated, for clarification, that is based on usage and not the base rate.

Mr. Malinowski stated, at the last meeting, Mr. Pearce brought up the fact Council had been discussing whether or not the County would sell the sewer system, hire a manager for the sewer system, or keep running it as it currently is. He stated he does not know if that was ever resolved. He would like to see any minutes related to that, if there was a final resolution on that.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

Opposed: Manning

The vote was in favor.

- b. Council Motion: Move that Council immediately move forward with the revised Lower Richland Sewer Plan, which has been (1) improved to remove lift stations from private property (consolidated into 3 on public property), (2) expanded to replace all failed, closed septic systems at Richland One Schools (Hopkins Elementary and Middle Schools and Gadsden Elementary School) and the Franklin Park subdivision, (3) clarified to ensure that access to public sewer is available, without tap fees, to any requesting resident along the revised route, who requests service as the line are being constructed. No resident will be required to tap on to the system unless they wish to. Staff is further instructed to expedite the planning and procurement process to facilitate commencement of construction by April 2019, and targeted build out to residents, schools, and McIntyre Air Force Base by August 2019 [MYERS] – Mr. Pearce stated the recommendation from the committee is to proceed with an alternative, that in effect, would revise the approved plan and reopen that for discussion, at which time the issue of which road(s) would be debated, and have a public hearing to hearing from the citizens.

Mr. N. Jackson stated there were two (2) motions.

Mr. Pearce stated we had two (2) motions. We took them up together because both were dealing with Lower Richland. As he recalls, this was the one that dealt with both motions. What the committee is doing is offering a recommendation, which is open for discussion and if anyone would like to change it or offer a substitute motion, they are welcome to.

**Special Called  
October 2, 2018**

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Mr. N. Jackson stated the reason he said the motion was not properly before us because it says to move forward with the revised motion. There was never a motion or procedure to revise the existing sewer plan. So, when staff came up with a motion to move forward with the revised motion...when was the public meeting? Where was the public hearings? Where was it noticed to the public that Richland County decided to revise the existing sewer plan that was passed. We had 2 readings and a public hearing. We went to court and won the suit, and only 3<sup>rd</sup> Reading was left. Somehow staff had the marching orders to revise the sewer plan, and a motion was made to move forward with the revised plan. If there was not a motion to revise the plan, then this motion is not properly before us. The proper way is that a Council member puts a motion on the table. It goes to committee. Staff prepares whatever documentation and how to move forward with that motion. That was never done. His concern is that when he made his motion in September 2017, he was asked to hold back on the motion. In February 2018, the former Administrator had the motion on the agenda again. It had to be removed because it was not proper. It was not proper then. It is not proper now. There were 23 easements, not lift stations. The tap fee was eliminated. Everything that is in this new motion has already passed. The only difference is you are running sewer line down Air Base Road where there are no houses and a railroad track. When the first motion was made, and the one that needs 3<sup>rd</sup> Reading, Cabin Creek Road has over 148 houses that signed up for sewer. The route has been deviated from those houses. His point is if you are going to reroute it, at least serve the people who signed up on Cabin Creek Road. Running it down Air Base Road does not make sense. McEntire Air Guard is already paying \$1.5 million to tie into the system. This system is now costing another \$17 million. The first system the money is there and has already been approved. The new system we have to find additional funding. Also, School District One was requested to provide an additional \$4 million. They should not have to do that with the original plan. What he would recommend is that we do a Phase II or III, but to move forward with the plan that was already approved. The plan that we had over 20 community meetings. Where we had citizens for and against. It was properly, publicly discussed and Council made a decision to move forward with 3<sup>rd</sup> Reading. That is why he is saying we should move forward with last plan approved, not revised, because there is no motion to revise the plan.

Mr. Pearce stated, for clarification, the motion would revise the approved plan.

Mr. N. Jackson stated his motion is to move forward with the original plan where we had the funding.

Mr. Pearce stated, for clarification, without any revision.

Mr. N. Jackson stated you can have a Phase II or III to the plan, but to have a revision we have to do Three Readings and a public hearing all over again. It is easier to add a Phase II or III to the plan, but what is before us now is to do a new route, and that is going to cause some problems.

Mr. Pearce stated, with all respect to Mr. N. Jackson, the committee felt like they took your motion under full consideration. If we failed, he apologizes.

Mr. Rose stated what Mr. N. Jackson is saying that if you revise the plan, then you have to have another public hearing. He feels like it is time to have a public hearing. From what he is hearing, there is a lot of uncertainty from the community about how this will be implemented. He thought Sen. Jackson's remarks were well founded. He wants to assist and alleviate issues that are existing. He would ask staff if there has been a public hearing in the area that would be affected recently.

Ms. Myers stated she has held six (6) public meetings. And, her motion is for another public hearing

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along with moving this forward.

Mr. Rose stated it's not bad to have the ability to revise a plan because that is what the community wants is to be able to have a public hearing, be heard, and have the ability to make some changes. He inquired if this approved tonight, there is a public hearing going forward, but what is being locked in with this vote tonight.

Mr. Khan stated the public hearing that Mr. N. Jackson referred to did take place, although he was not a part of Richland County, at that time, he did attend one of the public hearings. The public hearings were conducted as a part of the regulatory requirement for DHEC to issue the permit to construct. As time moved on, Ms. Myers came aboard and her opinion was that we have to do it in a way that we can serve the public's interest and revise it to the best fit needs. He went back to the drawing board. He came up with a plan. He shared that plan with Administration, as well as the District 10 and 11 Council members. They held several public meetings, as well. His impression was that the tone was totally different from the first meeting he attended. The future public hearings will take place. If, and when, you choose to approve this project that would be allow him to proceed forward with the design stages of the project. When the project gets designed it will go to DHEC for approval. When DHEC is approving it, a similar set of hearings will take place again for them to issue the permit to construct.

Mr. Rose inquired about what is being locked in with the vote tonight.

Mr. Khan stated, his understanding is to proceed forward with the preliminary engineering design of the project, and then present it back to Council that this is the final preliminary engineering analysis. This is the path forward. And, then you allow him to move forward to do the full blown design. That design will be presented to Council, and then you allow him to proceed with construction. There are several steps to come. Today, you will be allowing him to go forward and formalize alternative 5, as submitted in the agenda packet.

Mr. Rose stated, for clarification, there are going to be more votes before a plan is locked in.

Mr. Khan stated there will be multiple stages to come where this project will come in front of you and you would have an opportunity to review, revisit, modify, amend, approve or disapprove.

Mr. Rose stated, for clarification, in these steps going forward there would be public input from the community for each step.

Mr. Khan stated the way it works is should you like to do other public hearings through the Richland County operations he would be glad to do that, but DHEC, by mandate, when they issue the permit to construct, they have to conduct "X number" of public hearings, and they will be conducted to take input from the public before they make the decision to allow us to go for construction.

Mr. Rose stated, for clarification, in the design process, State law is going to mandate that DHEC have public hearings.

Mr. Khan responded in the affirmative. The public hearings will be attended by Richland County to answer questions.

Mr. Rose stated at one point and time there was a staff recommendation to go back to the School

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District for additional funding to address the issues at the schools. He inquired as to where that stands presently.

Mr. Khan stated that is above his pay grade. There is progress being made.

Mr. Rose stated those discussions are obviously ongoing.

Mr. Khan stated it is not Richland County's obligation, but he feels schools need to be taken care of.

Dr. Yudice stated, it is her understanding, the School District has approved \$2 million. The County requested an additional \$500,000, and the Board was supposed to discuss that.

Mr. Malinowski stated a lawsuit was brought against Richland County in this matter. It is his understanding, Richland County won the lawsuit. When Richland County won the lawsuit, they won it based on certain information that was provided to the court. Would we not have to abide by what the final result of that lawsuit was, based on the information we provided the court vs. something that is being added now.

Mr. Smith stated there were two (2) parts to the lawsuit that was brought. The first part, requested the court to enjoin or stop Richland County from going forward with a plan to provided sewer service to that area. The court denied them ability to stop us from going forward. There is one portion of the lawsuit that is still pending that deals with whether or not Richland County provided certain documents under the Freedom of Information Act to the group that requested it, but that does not have anything to do with the merits of the plan.

Mr. Malinowski stated on July 23, 2013, at the Development & Services Committee, he had a motion that passed to explore water and sewer service expansion in the unincorporated portion of Richland County. A motion like that had to go to a committee, and then come to Council, so he does not see why a motion to change something would not have had to go to the Council to be assigned to a committee to come forward. It is his understanding, it just kind of got to the committee. From what he is hearing, it is like Mr. Khan and a Council member got together and decided how you were going to revise a plan without the full Council being involved.

Mr. Khan stated in the agenda packet there are multiple options that he has handed over to Council. When he starts working he has to decide if it is a viable option or not. The one he felt was the best option he presented to Administration and shared his comments and recommendations. From that stage, it went to the Council members, Ms. Myers and Mr. N. Jackson, and got them on board. Today, he is standing in front of you to present the same case to full Council with all 5 options on the table.

Mr. Malinowski inquired why we would run a sewer line up a road, along the railroad tracks, with no houses on it vs. the original one that went pass all these homes, that he believes, Mr. N. Jackson referred to.

Mr. Pearce stated, for clarification, we are not approving a specific routing of a road with this motion.

Mr. Malinowski stated that is part of the revised plan.

Mr. Pearce stated we are voting to revise a plan.

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Ms. Myers stated, for clarification, the reason the road is there is because there is one way to get to Gadsden Elementary, and it is down that road. To the extent, that you are going to connect to Gadsden Elementary School, you either have to go Bluff Road or Air Base Road, which is why it is there. She told Mr. Khan the other day, when the questions regarding Cabin Creek were raised, if a thousand people come to him and ask to be added, we would be crazy not to. The intent is not to exclude homes. It is to include. Mr. Khan is the engineer. She did not engineer a plan. That is Mr. Khan's plan that she thought would be helpful to pick up the 3<sup>rd</sup> school that has an open sewer. That is the only purpose.

Mr. Malinowski inquired as to why we cannot move forward with the original plan, which is a whole lot less money, and then put these other items as difference phases or additions. We are going 2 ½ times the money from 2014.

Mr. Khan stated we do not build the infrastructure for one project, one house, one street, or one area. We build the infrastructure for ages and years to come. The system he is recommending will build the backbone of the system so that when the next generation comes in we have a system in place, which can be expanded and tied onto to meet the needs. They did not do it so diligently in the Broad River, and there are some shortcomings we are dealing with. They do not want to cross that bridge when they finish this asset. The way the line is aligned is pure hydraulics. You can put the pump and pipe and send the water anywhere you choose to. The Master Plan they have developed would allow you to cover the drainage basin. The phases developed are developed for the future needs. Comparing apples to apples, the DHEC approved project can only be compared with Phase I of the project. There are pros and cons of both of the plans. The approved project had issues, which will not serve 10, 20, or 30 years down the road, and somebody will be standing here being asked why did you do this? And, he does not think they would have an answer. It is a pure engineering judgment, along with the directions and needs of the Council.

Mr. Livingston inquired if p. 197 of the agenda packet is the committee's recommendation under "Notes", and if the information included under the "Subject" section was supposed to be a part of the motion.

Mr. Pearce stated the motion is, "to proceed with an alternative, that could be revised, as necessary."

Mr. Livingston inquired if he already has the revised plan, based on the information under the "Subject". He stated Mr. Khan mentioned his recommended plan, and then inquired where that plan is located in the agenda packet.

Mr. Khan stated if you look at the staff recommendation in the briefing memo on p. 200.

Mr. Livingston stated, for clarification, we are not undoing the previous plan. It will still be there, and would be an option.

Mr. Khan stated his recommendation would be to go with a new plan, which is Alternate 5. That is a modified version of the approved plan.

Mr. Livingston stated, for clarification, all we would be voting on is to give Mr. Khan the authority to pursue an alternative plan.

Mr. Manning stated there was a question about Richland One and the Board of Commissioners. There

was a letter written from Richland One Office of Superintendent, and signed by the Chair of the Board, dated September 21, 2018 that was sent all members of County Council. At the top of p. 3, it says, "Finally, after several meetings with Richland County Administration, including a meeting with County Council Chairwoman Dickerson, Richland County School District One has discussed and communicated the following: Richland One Board of Commissioners has approved the contribution of \$2 million, and an additional \$500,000, if necessary, to support the Lower Richland Sewer Project." So, the answer, to an earlier unanswered question, that is the answer.

Ms. Dickerson stated according to the Council's Rules, because we belabored this a lot in the workshop, Mr. N. Jackson has spoken twice on this item.

Mr. N. Jackson stated this is the first on this subject that Ms. Dickerson is limiting it to 2 times to speak. He stated he has concern with that because she has never done it before, but when it comes to Lower Richland Sewer she wants to limit it. He stated he is not against public input. That is paramount. The public needs to understand and be involved. He was concerned about the process. There was never a motion to allow staff to do what they did upfront and then tell us to do a revised motion. He stated you can lay pipe anywhere and it can work with the proper pumping system, and proper size. Therefore, it does not matter where you lay the lines in the engineering process it can work. The original plan, the size of the pipes was not large enough for future expansion. Initially, when we asked the question, about the original pipes, we were told that it would develop some gas and there could be an explosion. He said the system could be vented. If the system is vented, the larger pipes would aid expansion in the future. He stated he had over 20 public meetings, and they had a lot of good discussions. The tap on fee was eliminated. No one was forced to sign anything. No one would lose their land. He stated Air Base Road is not the only route to Gadsden Elementary School. Air Base Road will tie back into Cabin Creek Road, at Congaree Road, and goes to Gadsden Elementary School the same way. He stated he has lived in the area for 40 years, and he knows the route. With the revised plan we are eliminating over 148 houses on Cabin Creek Road. McEntire Air Guard already committed to pay \$1.5 million to tie into Cabin Creek Road to continue. Some members of Council went to School District One to get an additional \$4 million for the revised plan. The concern that District One had was why come to us with a revised plan and there was no official revised plan. They decided to stick to the \$2 million that was approved and give an additional \$500,000. They had reserved over \$430,000 for Gadsden Elementary. What he thought was wrong was to go to the School Board and say, "We need an additional \$4 million for the revised plan," when there was no revised plan. He is talking about process because everything he has done on this Council; he has followed the proper process. He makes a motion, and if he is successful he has a minimum of 5 votes and it is done. He should expect all Council members to follow the same process. He supports public input, and he wants public input. If the public see that its fit to go down Air Base Road, that is fine, but the original motion he made for the sewer had nothing to do with Air Base Road. It dealt with the developers' plan to put two (2) sewer treatment plants in Hopkins, and he was totally against it. Eastover has a plant that has a capacity for several thousand houses, and he said run a line to the Eastover plant. The schools in Hopkins had a problem with DHEC; therefore, they were fortunate to be able to tie into the system. We can have a public meeting, and go through the same process again because he wants the public's input. He is just talking about the process and the false information that there were 23 lift stations. There were 23 easements, not lift stations. If you look in the plan passed, the tap fee was eliminated. To tell the citizens we are going to eliminate the tap fee, and get rid of the 23 lift stations is not true. That has already been done. He wants to make it clear to the citizens that the so-called revised plan is about the routing and the size pipes, not about what has already been passed.

Ms. Myers stated, just note, as a starting matter, all of the pipes that we are discussing in District 10,

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**RICHLAND COUNTY  
ADMINISTRATION**

2020 Hampton Street, Suite 4069  
Columbia, SC 29204  
803-576-2050



**Agenda Briefing**

<b>Prepared by:</b>	Clayton Voignier	<b>Title:</b>	Director
<b>Department:</b>	Community Planning and Development	<b>Division:</b>	Community Development
<b>Date Prepared:</b>	October 29, 2020	<b>Meeting Date:</b>	November 19, 2020
<b>Legal Review</b>	Elizabeth McLean via email	<b>Date:</b>	November 13, 2020
<b>Budget Review</b>	James Hayes via email	<b>Date:</b>	November 12, 2020
<b>Finance Review</b>	Stacey Hamm via email	<b>Date:</b>	November 12, 2020
<b>Approved for consideration:</b>	Assistant County Administrator	Ashley M. Powell, Assoc. AIA, AICP	
<b>Committee</b>	Administration and Finance		
<b>Subject:</b>	Atlas Road Community Park Professional Services Contract		

**STAFF’S RECOMMENDED ACTION:**

Staff recommends approval of the Atlas Road Community Park Professional Services Contract between Richland County and the Richland County Recreation Commission.

Request for Council Reconsideration:  Yes

**FIDUCIARY:**

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

Funds are available in 526500 (Professional Services) in 1202992010/4891000 (CDBG FY17), 4891300 (CDBG FY18), and 4891500 (CDBG FY19)

**ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

**COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:**

**REGULATORY COMPLIANCE:**

**MOTION OF ORIGIN:**

There is no motion of origin associated with this item.

Council Member	
Meeting	
Date	

#### STRATEGIC & GENERATIVE DISCUSSION:

The Atlas Road Community Park Professional Services Contract between Richland County and the Richland County Recreation Commission (RCRC) outlines that RCRC agrees to design, manage and construct the Atlas Road Community Park. These efforts will make way for the construction of a recreation space that will preserve the site's natural habitat while providing low intensity recreation activities such as trails, seating, raised garden area, picnic area, gazebos, and exercise areas that are compatible with the lifestyle of senior citizens, the disabled and youth.

On July 10, 2018 Council approved the FY 18-19 Annual Action Plan budget for Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds. The FY 18-19 budget included \$50,000 for District 10 Park. A total of \$100,000 for this project was approved by HUD in the FY 18-19 budget.

On July 9, 2019 Council approved the FY 19-20 Annual Action Plan budget for Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds. The FY 19-20 budget included and HUD approved \$100,000 for District 10 Atlas Road Park Construction.

Staff procured SUMMIT Engineering, Laboratory & Testing, PC (SUMMIT) to conduct a Phase I Environmental Site Assessment (ESA) on October 4, 2019. SUMMIT conducted site reconnaissance of the property located at 2045 Smith Street, Richland County, Columbia, South Carolina (Richland County Tax ID: R13516-03-21) on May 1, 2020 and submitted the ESA report on May 4, 2020. The ESA report revealed no evidence of recognized environmental conditions in connection with the property.

#### ADDITIONAL COMMENTS FOR CONSIDERATION:

#### ATTACHMENTS:

1. Atlas Road Community Park Professional Services Contract
2. Contract Attachment 1
3. Contract Addendum A
4. July 10, 2018 Council Meeting Agenda
5. July 10, 2018 Council Meeting Minutes
6. July 9, 2019 Council Meeting Agenda
7. July 9, 2019 Council Meeting Minutes
8. SUMMIT Phase I Environmental Site Assessment



**Professional Services Contract between Richland County  
and the Richland County Recreation Commission**

WHEREAS, Richland County (hereinafter referred to as the **County**) is participating in a program to provide Federal assistance under the Community Development Block Grant hereafter referred to as (CDBG);

WHEREAS, The Richland County Recreation Commission (hereinafter referred to as **Sub-recipient** wishes to apply for CDBG funds from the **County** for the design, development and construction of Atlas Road Community Park.

NOW, THEREFORE in consideration of the mutual covenants and obligations herein contained, including the Attachments, and subject to the terms hereinafter stated, the parties hereto understand and agree as follows:

The **Sub-recipient** agrees to design, manage and construct the Atlas Road Community Park. The project will encompass construction of a recreation space that will preserve the site's natural habitat while providing low intensity recreation activities such as trails, seating, raised garden area, picnic area, gazebos, and exercise areas that are compatible with the life style of senior citizens, the disabled and youth. The funds provided for herein will be used as prescribed in 24 CFR Part 58.36.

**1.2 Program Schedule/Contract Agreement Period:**

1. This Professional Services Contract is made and entered into **October 14, 2020**.
2. Termination of the Contract will occur automatically upon the expiration of the Contract period, which is **October 31, 2021**, or the Contract can be terminated by either party, in writing, with fourteen (14) days' notice to the other party. Upon expiration of the Contract, the County shall have no further commitments pursuant to any required federal oversight with the exception of those requirements stipulated in 24 CFR 570.503(b)(7) governing the use of real property improved in whole or in part with CDBG funds in excess of \$25,000.
3. The program schedule agreed to between the **Sub-recipient** and the **County** is a timetable for the **Sub-recipient** to follow in completing the project. The project shall progress according to the program schedule attached as **Addendum A**.
4. **Sub-recipients** are required to submit monthly performance reports on program/project status and activities through project completion, by the 15<sup>th</sup> of each month.
5. CDBG awards may be terminated at any time prior to the award expiration date due to documented absence of program/project productivity. The **County** will make this determination based upon evidence of insufficient program and/or financial progress, tardiness or non-existent drawdown requests, or other factors as deemed appropriate by the **County**.

- 1.3 Award:** Upon execution of this Contract, the **County** agrees to provide to **Sub-recipient** Federal assistance under the Housing and Community Development Act of 1974, known as the Community Development Block Grant or CDBG Program, subject to the terms and conditions of this Agreement, applicable Laws, regulations and all other Federal and **County** requirements now or hereafter in effect. This Agreement is effective with respect to such assistance as of the date of the Agreement and consists of the Agreement, the Proposal, included as **Attachment I**, and the Program Schedule, included as **Addendum A**, as approved by the **County**.

The **County** has allocated **Two Hundred Thousand Dollars (\$200,000.00)** for the scope of work described throughout this Contract and by executing this Contract agrees to award said amount to **Sub-recipient**. This Contract cannot exceed this allocated amount.

**1.4** Scope of Work/Conditions:

1. **Sub-recipient**, in accordance with the terms of this Contract, shall perform all professional services (obligations, duties, requirements, and responsibilities required for the successful completion of this Contract) which are further outlined in **Sub-recipient's** proposal (**Attachment I**), with such document being attached hereto and incorporated herein by reference.
2. **Sub-recipient** will provide monthly progress reports to the **County**, due the 15<sup>th</sup> of each month, including budget amendments (if requested), detailed progress on each beneficiary and overall program, and time delays or potential problems. The monthly progress report will be an evolving document as the project moves forward.
3. The professional services and work tasks will be performed in the manner proposed in **Sub-recipient's** Proposal (**Attachment I**) that was received by the **County**.

**1.5** **Budget:** The project budget (**Addendum A**) and sections throughout this Contract show funding sources and uses of funds. The **Sub-recipient** shall notify the **County** in writing if any budget revision.

**1.6** **Financial Commitments:** **Sub-recipients** using CDBG funds in conjunction with other funding sources must submit executed commitments of all other financial sources to the **County** no later than **90 days from** date of execution of **this Contract**.

**1.7** **Prohibited Activities**

The **Sub-recipient** is prohibited from using CDBG funds for the following uses:

1. General government expenses. Except as otherwise specifically authorized under OMB Circular A-87, expenses required to carry out the regular responsibilities of the unit of general local government are not eligible *for* assistance under this part.
2. Political activities, such as lobbying, campaigning, etc.
3. Furnishings and personal property. The purchase of equipment, fixtures, motor vehicles, furnishings, or other personal property not an integral structural fixture is generally ineligible.
4. Maintenance and repair of publicly owned streets, parks, playgrounds, water and sewer facilities, neighborhood facilities, senior centers, centers for persons with disabilities, parking, and other public facilities and improvements.
5. Costs charged to local governments for preparation of their audits.

Costs that are not included in the above list **MUST** be approved by the **County** in writing in advance.

- 1.8 Release of Funds:** The **County** will conduct site visits and approve all requests for payment prior to the release of funds.

The following conditions must be met before requests for funds can be made or funds will be released:

1. Any changes or modifications to the proposal, program or activities after executing this Contract must be in writing and approved by the **County**.
2. The **County** has received all approved monthly reports.
3. **Sub-recipient** must submit all supporting documentation with the request for payment in order to receive payment. Payment requests should be submitted on a monthly basis.

**1.9 Project Limitations:**

The park is located in a Qualified Census Tract 117.02 which at the time of the investment meets the Low-to-Moderate Income National Objective requirements. In accordance with 24 CFR 570.503(b)(7), the improved real property contemplated by this Agreement must be maintained for its intended use for at least five (5) years after the expiration of this Agreement.

**2.1 – 2.10 Other Federal Requirements**

- 2.1 General Requirements:** The **Sub-recipient** agrees to conform to all federal and state regulatory requirements covered in the following sections 2.1 — 2.10, as well as all other applicable state and federal laws or regulations, whether cited herein or not. The Federal and **County** requirements include: nondiscrimination and equal opportunity; disclosure requirements; debarred, suspended or ineligible contractors; and drug-free workplace.

The award and Contract is made available in conformity with the non-discrimination and equal opportunity requirements set forth in 24 CFR Part 511.10(m), as follows:

- 1, The requirements of Executive Order 11063, and with Title VI of the Civil Rights Act of 1964, 42 USC 2000d. as amended by Executive Order 12259 (3 CFR, 1959—1963 Comp., p. 652 and 3 CFR, 1980 Comp., p. 307). The Act prohibits discrimination against individuals on basis of race, color, religion, sex or national origin in the sale, rental, leasing or other disposition of residential property, or in the use or occupancy of housing assisted with Federal funds.
2. The prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975, 42 USC 6101-07, and the prohibitions against discrimination against handicapped individuals under Section 504 of the Rehabilitation Act of 1973, 29 USC 794.
3. The nondiscrimination requirements at Section 282 of the Act are applicable.

Nondiscrimination and equal opportunity: *The Fair Housing Act* (42 U S C. 3601—19) and implementing regulations at 24 CFR part 100 *et seq.*, ' The Act prohibits the discrimination in the sale or rental of housing, the financing of housing or the provisions of brokerage servers against any person on the basis of race, color, religion, sex, national origin, handicap or familial status.

Title II of the Americans with Disabilities Act of 1990: Requires that State and local governments (1) may not refuse to allow a person with a disability to participate in a service, program, or activity simply because the person has a disability; (2) must eliminate unnecessary eligibility standards or rules that deny individuals with disabilities an equal opportunity to enjoy their services, programs or activities unless "necessary" for the provisions of the service, program or activity; (3) are required to make reasonable modifications in policies, practices, and procedures that deny equal access to individuals with disabilities, unless a fundamental alteration in the program would result; (4) must furnish auxiliary aids and services when necessary to ensure effective communication, unless an undue burden or fundamental alteration would result; (5) may provide special benefits, beyond those required by the regulation, to individuals with

disabilities; (6) may not place special charges on individuals with disabilities to cover the costs of measures necessary to ensure nondiscriminatory treatment, such as making modifications required to provide program accessibility *or* providing qualified interpreters; (7) shall operate their programs so that, when viewed in their entirety, they are readily accessible to and usable by individuals with disabilities.

Architectural Barriers Act of 1968: The ABA requires access to facilities designed, built, altered, or leased with federal funds. CDBG **Sub-recipients** are responsible for ensuring compliance with Uniform Federal Accessibility Standards (UFAS) when designing, constructing, altering or leasing facilities.

## 2.2 Workers Compensation

The **Sub-recipient** shall carry provide Worker's Compensation Insurance coverage in accordance with South Carolina Law for all its employees involved in the performance of this Contract. The Sub-recipient is required to provide documentation of Worker's Compensation Insurance to the **County**.

## 2.3 Insurance and Bonding

**Sub-recipient** shall be responsible for any damages resulting from its activities. Prior to commencing work hereunder, **Sub-recipient** shall obtain and maintain, throughout the duration of this Contract, all such insurance as required by the laws of the State of South Carolina, and minimally the below listed insurance. A breach of the insurance requirements shall be material.

Such insurance shall be issued by a company or companies authorized to do business in the State of South Carolina and Richland County, and must have a Best Rating of A-, VII or higher. This agreement sets forth minimum insurance and is not to be construed in any way as a limitation of liability on **Sub-recipient**.

- A. Workers Compensation and Employers Liability Insurance: The **Sub-recipient** shall maintain Workers' Compensation and Employer's Liability insurance in accordance with South Carolina Law. "Other States" coverage is not sufficient. South Carolina coverage must be specified. Employer's Liability limits shall not be less than \$1,000,000 per accident/per disease.
- B. Crime Bond: The **Sub recipient** shall carry sufficient insurance coverage to protect contract assets from loss due to theft, fraud and/or undue physical damage, and as a minimum shall purchase a blanket fidelity bond covering all employees in an amount equal to cash advances from the **County**. The Sub recipient shall comply with the bonding and insurance requirements of 24 CFR 84.31 and 84.48, Bonding and Insurance. The **Sub recipient** is required to provide documentation of Insurance and Bonding to the **County**.
- C. Commercial General Liability Insurance: The **Sub recipient** shall maintain a commercial general liability insurance policy on an occurrence basis for bodily injury, property damage and personal injury with minimum limits of \$1,000,000.00 per occurrence and \$2,000,000 general aggregate.
- D. Auto Liability. The **Sub recipient** shall maintain business auto coverage for bodily injury and property damage for owned/leased, non-owned and hired vehicles.
- E. Builder's Risk. The **Sub recipient** shall maintain a builder's "all risk" or equivalent policy insuring the project on a replacement cost basis.
- F. Insurance Requirements for Subcontractor's and Sub-subcontractors: The **Sub-recipient** shall require any subcontractor or sub-subcontractor not insured by the **Sub-recipient** to meet South



Carolina's requirements for vehicle liability and to have worker's compensation coverage, even the party if has less than four employees. A general liability policy shall be required.

- G Cancellation, Non-renewal, Reduction in Coverage and Material Change: The **Sub-recipient** shall provide the **County** thirty (30) calendar days' notice in writing of any cancellation, non-renewal or reduction in coverage or any other material policy change, except that insurers may provide ten (10) Calendar days' notice in writing for nonpayment of premium.
- H. Certificates of Insurance: The Sub recipient shall furnish the **County** at the below address with certified copies of certificates of insurance within ten (10) calendar days of date of the notice to proceed. Richland County Government, Attn: Risk Management, PO Box 192, Columbia, SC 29202. Richland County Government shall be named on the policies as certificate holder.

## 2.4 Disclosure Requirements

The **County** prohibits **Sub-recipients** of Federal funds, whether grants, contracts, or cooperative agreements, from using these funds to lobby to obtain, extend, or modify a Federal award. The regulation is intended to prevent the use of Federal funds for lobbying, and to monitor the lobbying expenditures of Federal funds Participants. Even though the **Sub-recipient** of a Federal award is legally the institution, individuals who are employed by the institution are also specifically included in the regulation. The regulation also requires that **Sub-recipients** of Federal funds whom use non-Federal funds for lobbying purposes report those activities to the awarding agency.

**Sub-recipients** may not use federal funds to influence or attempt to influence any member of the Executive or Legislative branches of government (including any agency employee) for securing a grant, contract, or cooperative agreement or an extension, renewal or modification of the foregoing. Charging travel expenses to a Federal award or drawing salary from a Federal award while attempting to influence the awarding of Federal funds for a specific program is defined as lobbying, and is prohibited. **Sub-recipients** may neither make such expenditures nor hire paid lobbyists to do so on their behalf.

- 2.5 **Debarred, Suspended, or Ineligible Contractors and Participants**: The prohibitions at two CFR Part 24 on the use of debarred, suspended, or ineligible contractors and participants, state that, CDBG funded projects may not employ any contractors or subcontractors that have been debarred or suspended from participating in federally funded programs. CDBG **Sub-recipients** are responsible for determining whether they are entering into a covered transaction with an excluded or disqualified person. A listing of debarred contractors can be found on the Excluded Parties Listing System's (EPLS) web site at [www.epIs.amet.gov/index](http://www.epIs.amet.gov/index). All procured contractors and subcontractors awarded contracts in excess of \$100,000 and all non-procured transactions in excess of \$25,000 must submit the "Debarment Certification Form" certifying that they are not included on the Excluded Parties Listing System and are eligible to participate in federally assisted projects. This extends the coverage of the HUD non-procurement suspension and debarment requirements to all lower tiers of subcontracts under covered non-procurement transactions, as permitted under the OMB guidance at 2 CFR 180.220(c)

- 2.6 **Drug-Free Workplace: The Drug-Free Workplace Act of 1988** (41 U.S.C. 70 I, *et seq.*) and HUD is implementing regulations at 24 CFR Part 21.

**Sub-recipients** are required to provide a drug-free workplace by taking the following steps. **Sub-recipients** In addition, its third party contractors failing to meet these requirements will be subject to penalties:

1. Publish and give a policy statement to all covered employees informing them that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the covered workplace and specifying the actions that will be taken against employees who violate the policy.
2. Establish a drug-free awareness program to make employees aware of: a) the dangers of drug abuse in the workplace; b) the policy of maintaining a drug-free workplace; c) any available drug counseling, rehabilitation, and employee assistance programs; and d) the penalties that may be imposed upon employees for drug abuse violations.
3. Notify employees that as a condition of employment on a Federal contract or grant, the employer must: a) abide by the terms of the policy statement; and b) notify the employer, within five calendar days, if he or she is convicted of a criminal drug violation in the workplace.
4. Notify the contracting or granting agency within 10 days after receiving notice that a covered Employee has been convicted of a criminal drug violation in the workplace.
5. Impose a penalty on or require satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is convicted of a reportable workplace drug conviction.
6. Make an ongoing, good faith effort to maintain a drug-free workplace by meeting the requirements Of the Act.

**2.7 Environmental Review: 24 CFR 92.352**

The **Sub-recipient** agrees that the environmental review for this activity will be carried out and assessed in accordance with the provisions of the National Environmental Policy Act of 1969 (NEPA) and the related authorities listed in HUD's implementing regulations at 24 CFR Parts 50 and 58. 3. A HUD written approval for release of funds is required PRIOR to release of these contract funds.

No project funds will be advanced, and no costs can be incurred, until an environmental review has been completed for each proposed project site and/or activity as required under 24 CFR Part 58. The County has completed a Site-Specific Environmental Review (Attachment II), as required by HUD. The **Sub-recipient** will adhere to the conditions of the Environmental Review and provide to the **County** additional documentation of mitigation actions and/or details of project modification if so required.

**2.8 Federal Labor Standards: 24 CFR 570.603.** The **Sub-recipient** agrees to confirm to all the labor requirements regarding laborers and contracts.

**2.9 Prevailing Wage Rates (Construction) Contract Provisions:** All contracts in excess of \$2,000 entered into for the actual construction, alteration and/or repair including painting and decorating of a public building or public work, or building or work financed in whole or part by federal funds are subject to and must include the labor standards provisions of 29 CFR Part 5.5, Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction.

**Davis-Bacon and Related Acts** CDBG-assisted projects entered into contracts in excess of \$2,000 for the actual hard construction cost agree to conform to the Davis-Bacon and Related Acts. Davis-Bacon and the related labor acts ensure that mechanics and laborers employed under federally assisted contracts are paid wages and benefits equal to those that prevail in the locality in which the work is performed. This Act also provides for the withholding of funds when the **Sub-recipient** is not in compliance. Apprentices enrolled in bona fide apprenticeship programs are exempt from wage requirements.

The **Sub-recipient** agrees to submit any and all Davis-Bacon reports (Certified Payrolls, Employee Interviews Forms, etc.) required by HUD or the **County** on the dates mentioned in this Contract or upon request. The **Sub-recipient** also agrees to submit any information requested regarding Department of Labor Standards regulations pertaining to the labor standards and HUD handbook 1344.1 (Federal Labor Standards Compliance in Housing and Community Development Programs). The **Sub-recipient** agrees that it will conform to the requirements that include but are not limited to the following:

- a. Prevailing Wage Rate Contract(s) must contain the wage provisions, which includes construction and non- construction cost, or housing.
- b. Payrolls will be submitted weekly to the **County**.
- c. Payroll compliance statements will be provided with official signature that is original.
- d. **Sub-recipients** will identify first and final payroll for the project.
- e. **Sub-recipients** will provide payroll(s) to include the following: contractor/subcontractor name, business address, project name and number, week ending date, day and date for each day in the workweek, employee name (employee address and SSN the first time employee shows up on a payroll only), employee work classification, rate of pay, straight/overtime hours worked per day, per week on THIS project, gross wages, deductions from wages, and net pay.
- f. **County** will conduct periodic employee interviews, as deemed appropriate.

**Contract Work Hours and Safety Standards Act, as amended (40 U.S.C. 327-353):** This Act provides that mechanics and laborers employed on federally assisted projects are paid time and one-half for work in excess of forty hours per week, and provides for the payment of liquidated damages when violations of these provisions occur. The Act also addresses safe and healthy working conditions.

**Copeland (Anti-Kickback) Act (40 U.S.C. 276c):** The Copeland Anti-Kickback Act governs allowable deductions from paychecks. Copeland makes it a criminal offense to coerce anyone employed on a federally assisted project to relinquish compensation to which he/she is entitled, and requires all contractors to submit weekly payrolls and statements of compliance.

**Section 110 of the Housing and Community Development Act of 1974:** as amended by Section 955 of the Cranston-Gonzalez National Affordable Housing Act which exempts from the wage rate requirements, individuals that perform services for which the individual volunteered; does not receive compensation for such services, or is paid expenses, reasonable benefits, or a nominal fee for such services; and is not otherwise employed at any time in the construction work.

**Fair Labor Standards Act of 1938, As Amended (29 U.S.C. 201. et seq.):** The Fair Labor Standards Act establishes the basic minimum wage for all work and requires the payment of overtime at the rate of at least time and one-half for the entire time that an employee is required or permitted to work. It also establishes labor standards for children.

**Equal Employment Opportunity, Executive Order 11246, implemented in 41 CFR Part 60:** Executive Order 11246 prohibits discrimination against any employee or applicant for employment because of race, color, religion, sex, or national origin. Provisions to make this prohibition must be included in all contracts for capital projects exceeding \$10,000. Implementing regulations may be found in 41 CFR Part 60.

## **2.10 Religious Activities:**

1. The **Sub-recipient** agrees, as directly funded under the CDBG program, not to engage in inherently religious activities, such as worship, religious instruction, or proselytization as part of the assistance funded under the CDBG program.
2. The **Sub-recipient** also agrees that religious activities such as worship, religious instruction, or proselytization will be offered separately, in time and location and is a voluntary decision of the beneficiary to participate. The CDBG program cannot fund these separate religious activities.
3. Religious organizations, in providing CDBG assistance, will not discriminate against program beneficiaries based on religious character, belief or affiliation.
4. CDBG funds may not be used for the acquisition, construction, or rehabilitation of structures to the extent that those structures are used for inherently religious activities.

## **3.1 — 3.6 Accountability, Financial Management, Recordkeeping**

### **3.1 Accounting Standards**

The **Sub-recipient** agrees to comply with 24 CFR 84.21-28 and agrees to adhere to the accounting principles and procedures required therein, utilize adequate internal financial controls, and maintain necessary source documentation for all costs incurred.

### **3.2 Cost Principles**

The **Sub-recipient** shall administer its program in conformance with OMB Circulars A-122, Cost Principles for Non-Profit Organization as applicable. These principles shall be applied for all costs incurred whether charged on a direct *or* indirect basis.

**General Audit Requirements:** Audits will be conducted in accordance with 2 CFR 200. . **CDBG Grantees and Sub-recipients which expend \$750,000 or more in total** federal financial assistance in a year are responsible for obtaining **an independent audit** in accordance with the 2 CFR 200, Subpart F- Audit requirements except when they elect to have a program-specific audit conducted. A program-specific audit is allowed when the grantee or sub-recipient expends federal funds from one federal program. A single audit is an audit that includes both an entity's financial statements and its federal awards (from all applicable federal programs). If a grantee or subrecipient expends less than \$750,000 a year in federal awards, it is exempt from the audit requirements for that year; however, records must be available for review or audit by County officials.

### **3.3 Recordkeeping Requirements of Section 24 CFR 570.490:**

General: Each **Sub-recipient** will establish and maintain sufficient records to enable the **County** to determine whether the **Sub-recipient** has met project requirements. The **Sub-recipient** must provide citizens, public agencies, and other interested parties with reasonable access to records, consistent with applicable state and local laws regarding privacy and obligations of confidentiality. HUD and the Comptroller General of the United States, and any of their representatives, have the right of access to any pertinent books, documents, papers or other records of the **Sub-recipient**, in order to make audits, examinations, excerpts, and transcripts. **Sub-recipient** agrees to create and/or maintain all of the records outlined in this section.

At a minimum, the following records are needed:

1. The source and application of funds for each project, including supporting documentation in accordance with 24 CFR 85.20. Accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract and sub-grant award documents, etc.
2. Records must be kept for each beneficiary assisted that demonstrates their eligibility, proof of class attendance and completion of the program, and proof of supportive services provided.

Financial Records 24 CFR 570.489

1. Records identifying the source and application of program income, repayments and recaptured funds. Records demonstrating adequate budget control, including evidence of periodic account reconciliations.

Program Administration Records:

1. Records demonstrating compliance with the written agreements required by 24 CFR 570.503.
2. Records demonstrating compliance with the applicable uniform administrative requirements required by 24 CFR 570.502.
3. Records documenting required inspections, monitoring reviews and audits, and the resolution of any findings or concerns.

Records Concerning Other Federal Requirements:

1. Equal Opportunity and Fair Housing Records:
  - a) Data on the extent to which each racial and ethnic group and single-headed households (by gender of household head) have applied for, participated in, or benefited from, any program or activity funded in whole or in part with CDBG funds.
  - b) Documentation of actions undertaken to meet the requirements of 24 CFR Part US which implement Section 3 of the Housing Development Act of 1968, as amended (12 U.S.C. 170).
  - c) Documentation of the actions the **Sub-recipient** has taken to affirmatively further fair housing.
2. Affirmative Marketing and MBE/WBE Records:
  - a) Records demonstrating compliance with the affirmative marketing procedures and requirements of 24 CFR 570.601.
  - b) Documentation and data on the steps taken to implement the **Sub-recipients** outreach programs to minority-owned (MBE) and female-owned (WBE) businesses including data indicating the racial/ethnic or gender character of each business entity receiving a contract or subcontract to be

paid, with CDBG funds; the amount of the contract or subcontract, and documentation of participating jurisdiction's affirmative steps to assure that minority business and women's business enterprises have an equal opportunity to obtain or compete for contracts and subcontracts as sources of supplies, equipment, construction, and services.

3. Records demonstrating compliance with the environmental review requirements of 24 CFR 570.604 and 24 CFR Part 58, including flood insurance requirements.
4. Records demonstrating compliance with the lead-based paint requirements of 24 CFR Part 35, subparts A, B, I, K, and R of the title: LEAD-BASED PAINT POISONING PREVENTION IN CERTAIN RESIDENTIAL STRUCTURES.
5. Records supporting exceptions to the conflict of interest prohibition pursuant to 24 CFR 570.611.
6. Debarment and suspension certifications required by 24 CFR 570.609.

#### Period of Record Retention:

All records pertaining to each fiscal year must be retained for the most recent five-year period, except as provided below.

1. Written agreements must be retained for five years after the agreement terminates.
2. If any litigation, claim, negotiation, audit, monitoring, inspection or other action has been started before the expiration of the required record retention period, records must be retained until completion of the action and resolution of all issues which arise from it, or until the end of the required period, whichever is later.

**3.4 Performance Reports:** The **Sub-recipient** agrees to submit the performance reports listed according to the prescribed Program Schedule provided in this Contract as found in **Addendum A**.

#### **3.5 Repayment of Funds:**

The Sub-recipient agrees to the repayment of CDBG funds repaid should the project terminate prior to completion due to non-compliance with this agreement, and unable to cure in a timely fashion, or Federal, State or County building or safety codes, or negligence on the part of the sub-recipient, contractor or sub-contractor. .. The **County** reserves the right, with appropriate written documentation, to make this determination.

#### **4.0 Performance Reviews:**

*General.* The **County** will review the performance of each **Sub-recipient** in carrying out its responsibilities under this Contract whenever determined necessary by **County**. In conducting performance reviews, the **County** will rely primarily on information obtained from the **Sub-recipient** and, as appropriate, the **Sub-recipient's** records and reports, findings from on-site monitoring, audit reports, and information generated from the IDIS system established by HUD. Where applicable, the **County** may also consider relevant information pertaining to a **Sub-recipient's** performance gained from other sources, including citizen comments, complaint determinations, audits and litigation. Reviews to determine compliance with specific requirements of this written agreement will be conducted as necessary, with or without prior notice to the **Sub-recipient**. Comprehensive performance reviews under this section will be conducted after notice to the **Sub-recipient**.

#### **4.0(a) Performance Review:**

1. If the **County** determines preliminarily that a **Sub-recipient** has not met a requirement of this section, the **Sub-recipient** will be given notice of this determination and an opportunity to demonstrate, within the time prescribed by the **County** (not to exceed 30 days) and on the basis of substantial facts and data, that it has done so.
2. If the **Sub-recipient** fails to demonstrate to the **County's** satisfaction that it has met the requirement, the

**County** will take corrective or remedial action in accordance with this section.

Corrective and Remedial Actions: Corrective or remedial actions for a performance deficiency or breach of the requirements of this Contract will be designed to prevent a continuation of the deficiency; mitigate, to the extent possible, its adverse effects or consequences; and prevent its reoccurrence. The **County** may insist the **Sub-recipient** to submit and comply with proposals for action to correct, mitigate and prevent a performance deficiency or breach, including:

1. Preparing and following a schedule of actions for carrying out the affected activities, consisting of schedules, timetables, and milestones necessary to implement the affected activities;
2. Establishing and following a management plan that assigns responsibilities for carrying out the remedial actions;
3. Canceling or revising activities likely to be affected by the performance deficiency, there by de- obligating the CDBG funds for the activities;
4. Repayment to the **County** of any amount not used in accordance with this Contract;
5. Suspending the **Sub-recipient** from participating in CDBG and other **County** programs for a specific period.

**4.0(b) Program Suspension/Debarment:**

Any of the following actions may result in suspension from participating in funding from any of the **County** administered programs for the time specified , but in any case up to a period of one (1) year:

1. Failure to complete a project/development by the completion deadline specified in the Contract and implementation schedule will disqualify the applicant for a period of one (1) year.
2. Failure to complete or comply with the environmental review requirements as specified by 24 CFR Parts 50 and 58, as amended, will result in the disqualification of the applicant for the period of one (1) year.
3. Providing false or inaccurate certification that a development meets certain standards when, in fact, it does not, will result in the disqualification of the developer and the architect. The **County** will also file a complaint against the architect with the S.C. Department of Labor, Licensing and Regulation.

Permanent debarment:

1. Any **Sub-recipient** who provides false or misleading information to the **County** with regard to a project seeking CDBG funds will be permanently debarred from further participation in the **County's** programs, in any capacity whatsoever, regardless of when such false or misleading information is discovered. Any award allocation obtained on the basis of such false or misleading information shall be void. Each **Sub-recipient** shall be given written notice by the Program Director stating the reason for which the sanction of debarment was imposed.

2. Any **Sub-recipient** that provides a partnership formation and/or developer agreement, whether written or otherwise, that attempts to circumvent **County** requirements, will be permanently debarred from further participation in the **County** programs, in any capacity whatsoever, regardless of when the violation is discovered.

The **County**, in its sole discretion, may determine other acts to be infractions of the program that require suspension or debarment.

Funding Sanctions: Following notice and opportunity for consultation, the **County** may withhold, reduce or terminate the assistance where any corrective or remedial actions taken under 24 CFR 570.492 fail to remedy the **Sub-recipient's** performance deficiencies and the deficiencies are sufficiently substantial, in the judgment of **County**, to warrant sanctions.

**5.0 Reversion of Assets:** Upon expiration of the Contract, the **Sub-recipient** must transfer to the **County** any CDBG funds on hand at the time of expiration and any accounts receivable attributable to the use of CDBG funds.

**5.0(a) Incorporation of The Code of Federal Regulations:** The **Sub-recipient** agrees to comply with all requirements as set forth in the Code of Federal Regulations:  
24 CFR Part 870 — Community Development Block Grants and  
24 CFR Part 58 - Environmental Review Procedures (as amended)

This agreement contains specific requirements from the Code of Federal Regulations. However, the failure to include certain other requirements should not be construed as an omission of these requirements. In instances where the **County's** requirements are more restrictive than the Code of Federal Regulations, the **County** requirements shall take precedence over the Federal regulations.

## **6.0 Amendment and Enforcement of the Contract:**

Process for Amending the Contract: CDBG activities and projects may undergo changes during project implementation, which may necessitate changes in scope, schedule or budget. In those cases, the **Sub-recipient** will prescribe to the following process for changes to the Contract.

1. The **Sub-recipient** shall provide a written request to include the appropriate documentation (i.e. sections of this contract) and identifiers regarding the project.
2. **County** staff for approval will review requests. In certain cases, the scope of the budget or cost change may merit additional underwriting or reviews for cost principle analysis as they relate to HUD's definition of cost reasonableness.
3. If the request is approved, a written amendment will be provided to the **Sub-recipient** to be executed to reflect the approved changes to the original executed Contract.

Termination of the Contract: In the event that any of the provisions of this Contract are not met or the **Sub-recipient** materially fails to comply with any term of the Contract, the following provisions and remedies for breach will be followed:

1. The **Sub-recipient** may be suspended or debarred from participation in CDBG and other **County** programs.



4 The **Sub-recipient** may be required to repay the CDBG funds and any other **County** funds invested in the project. The **County**, based upon various factors and documentation, will evaluate and make said determinations at such time, as deemed appropriate.

#### **7.0 Hold Harmless**

The **Sub-recipient** shall hold harmless, defend and indemnify the **County** from any and all claims, actions, suits, charges and judgments whatsoever that arise out of the **Sub-recipient's** performance or nonperformance of the services or subject matter called for in this Contract.

#### **8.0 Environmental and Conditions**

The **Sub-recipient** agrees to comply with all environmental conditions insofar as they apply to the performance of this agreement and under NEPA or National Environmental Protection Agency. These include but not limited to Clean Air Act, 42 U.S.C; Flood Disaster Protection Act of 1973; Lead Based Paint at 24 CFR 570.608 and 24 CFR Par 35; Subpart B; and Historic Preservation Act of 1966.

#### **9.0 Severability**

If any provision of this Contract is held invalid, the remainder of the Contract shall not be affected thereby and all other parts of the Contract shall nevertheless be in full force and effect.

#### **10.0 Section headings and Subheadings**

The section headings and subheadings contained in this Contract are included for convenience only and shall not limit or otherwise affect the terms of this Contract.

#### **11.0 Waiver**

The **County's** failure to act with respect to a breach by the **Sub-recipient** does not constitute a waiver of its rights to act with respect to subsequent or similar breaches. The failure of the **County** to exercise or enforce any right or provision shall not constitute a waiver of such right or provision.

**12.0 Entire Agreement**

This agreement constitutes the entire agreement between the **County** and the **Sub-recipient** for the award and use of funds received under this Contract and it supersedes all prior or contemporaneous communications and proposals, whether electronic, oral, or written between the **County** and the **Sub-recipient** with respect to this Contract.

X

Richland County Administrator

\_\_\_\_\_ Date

X

Authorized Official  
Richland County Recreation Commission

\_\_\_\_\_ Date

X

Richland County Attorney's Office  
Signature or Stamp

\_\_\_\_\_ Date



**Attachment I: Sub-recipient project proposal**

Project overview: Design and construct a neighborhood park in the Atlas Road community

Location of Site

Address: 2045 Smith Street, Columbia SC  
 Tax Map #: R13516-03-21  
 Size of Parcel: 150 x 230 x 150 x 235  
 Current owner: Atlas Road Community Organization

**RCRC design/build budget**

Item	Cost
Design Fees	\$15,000
Property Survey	\$5,000
Utilities (undergrounding)	\$5,000
Fencing	\$20,000
Grading/Clearing	\$30,000
Walking Trail	\$50,000
Site Amenities and Equipment	\$75,000
Total	\$200,000

**Project Timeline****October 2020-December 2020**

- Richland County & RCRC design/build MOU
- Complete park design using community input
- Meet with neighborhood and share design
- Finalize Construction Docs
- Begin Procurement Process

**January 2021-June 2021**

- Select construction company
- Break ground/Construction
- Ribbon Cutting and Grand Opening

**Addendum A: Sub-recipient Project Budget and Timeline (needed from RCRC)**

- . timetable for the Sub-recipient to follow in completing the project
- . show funding sources and uses of funds
- . outline performance reports

**October 2020-December 2020**

- Richland County & RCRC design/build MOU
- Complete park design using community input
- Meet with neighborhood and share design
- Finalize Construction Docs
- Begin Procurement Process

**January 2021-June 2021**

- o Select construction company
- o Break ground/Construction
- o Ribbon Cutting and Grand Opening

**Funding Sources:** \$200,000 Richland County

Performance Reports will be submitted monthly detailing tasks completed during the reporting period

# **RICHLAND COUNTY**

## **SPECIAL CALLED MEETING AGENDA**



**Tuesday, JULY 10, 2018**

**6:00 PM**

- e. Richland County Storm Drainage Easements within City of Columbia Limits [PAGES 322-332]

**16. REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**

The Honorable Paul Livingston

- a. FY 18-19 Annual Action Plan budgets for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds [PAGES 333-335]

**17. REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE**

The Honorable Paul Livingston

- a. Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain property located in Richland County; the execution and delivery of an Infrastructure Credit Agreement to provide for infrastructure credits to DPX Technologies, LLC; and other related matters [FIRST READING] [PAGES 336-354]

**18. REPORT OF THE RULES AND APPOINTMENTS COMMITTEE**

The Honorable Bill Malinowski

**19. NOTIFICATION OF APPOINTMENTS**

- a. Accommodations Tax – Five (5) Vacancies (ONE applicant must have a background in the Cultural Industry; THREE applicants must have a background in the Hospitality Industry; ONE is an at-large seat)
  - 1. James Tyler Burns [PAGES 355-356]
  - 2. Bil McCracken [PAGES 357-358]
- b. Business Service Center Appeals Board - 1 (Applicant must be an attorney)
  - 1. James Tyler Burns [PAGES 359-360]
  - 2. Marcus J. "Marc" Brown [PAGES 361-362]
- c. Hospitality Tax – Three (3) Vacancies (At least two applicants must be from Restaurant Industry)
  - 1. George Whitehead [PAGES 363-365]

## Richland County Council Request for Action

**Subject:**

FY 18-19 Annual Action Plan budgets for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds

**Notes:**

June 26, 2018 – The committee forwarded this item to Council without a recommendation.





**Administration & Finance Committee Meeting  
Briefing Document**

**Agenda Item**

FY 18-19 Annual Action Plan budgets for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds

**Background**

This request is to approve the FY 18-19 Annual Action Plan budgets for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds

Richland County became a federal entitlement program grantee in 2002. As an entitlement grantee, Richland County receives an annual share of federal Community Development Block Grant (CDBG) and HOME Investment Partnership Programs (HOME) funds authorized under Title I of the Housing and Community Development Act of 1974, as amended. The Richland County Office of Community Development (RCCD) is responsible for administering CDBG and HOME grants for unincorporated areas of Richland County.

RCCD seeks to “transform lives in partnership with the Richland County community through housing, education and revitalization to make a different one household at a time.”

The purpose of the Annual Action Plan is to identify housing and community development needs and to develop CDBG and HOME budgeting for the next annual period. This Action Plan for Richland County covers the fiscal period of October 1, 2018 to September 30, 2019. Additionally, the Annual Action Plan implements the County’s 5 Year Consolidated Plan, approved in July 2017, which enables the County to continue to receive federal housing and community development funds and must be submitted to the US Department of HUD by August 15, 2018.

A public meeting will be advertised and held on July 30, 2018. Please note this public meeting is not required to be a part of a Council meeting, but is still open to Council and the public to attend.

Please see below FY 18-19 Proposed Budgets for CDBG and HOME:

<b>FY 18-19 CDBG BUDGET</b>				<b>\$1,495,368</b>			
District 10 Park (Design/Soft Costs)			\$50,000.00				
GillsCreek - Water Quality Improvement Prgt			\$ 100,000.00				
Unsafe Housing Removal			\$ 271,990.00				
Richland County Rolls (Paint Brush Pgm)			\$80,000.00				
Operation One Touch (Minor Rehab Pgm)			\$ 220,000.00				
HOME Project Delivery Costs			\$ 100,000.00				
Public Service Projects			\$ 224,305.00			*Cannot exceed 15%	
Richland Business 101			\$150,000.00				
Admin			\$ 299,073.00			*Cannot exceed 20%	
<b>FY 18-19 HOME BUDGET</b>				<b>\$722,033.00</b>			
RCHAP			\$250,000.00				
CHDO			\$149,830.00				
RICHLAND REBUILDS			\$250,000.00				
ADMIN			\$72,203.00			*Cannot exceed 10%	

HOME Grant funds require a local match. Total HOME funds are divided as follows:

HOME Grant Funds	\$ 722,033.00
HOME Program Income	\$ 20,000.00
HOME Local Match Required from the County (25%)	\$ 162,458.00
	\$ 904,491.00

**Issues**

If not approved, the estimated FY 18-19 budgets for CDBG and HOME and the funds will not be set up. Subsequently, the funds could be rescinded or not spent in a timely manner, thereby creating additional areas of concern for the County and affecting future year awards from HUD.

**Fiscal Impact**

The only financial impact to the County is the HOME match requirement.

For FY 18-19, the amount of HOME Match is \$162,458 and has been approved by County Council in Biennium Budget I in the General Fund. The County has provided the required match amount since the HOME program began in 2002.

**Past Legislative Actions**

County Council approved the Community Development’s FY 17-18 HUD Consolidated Action Plan in July 2017.

HUD approved the County’s FY18-19 allocation on May 1, 2018.

Last year’s CDBG and HOME budgets are listed below:

- FY 2017 CDBG \$1,330,596 HOME \$514,484

**Alternatives**

1. Approve the Annual Action Plan Budgets (FY 18-19) for CDBG and HOME due to HUD by August 15, 2018.
2. Do not approve the Annual Action Plan Budgets (FY 18-19) for CDBG and HOME due to HUD by August 15, 2018.

**Staff Recommendation**

Staff recommends Council approve the Annual Action Plan (FY 18-19) and the estimated budgets for CDBG and HOME.

**Submitted by:** Tracy Hegler, Community Planning & Development

**Date:** June 18, 2018

problem relates to the manner in which the City is annexing these properties. The County would be willing to meet to discuss a better method of annexation where possibly some of these areas could be addressed, prior to the annexation.

In Favor: Malinowski, C. Jackson, Pearce, Manning, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

16. **REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE**

- a. Council Motion: Guidelines for dedications at the Decker Center – Mr. Manning stated this item is a Council motion. The motion is “Guidelines for dedications at the Decker Center”. He was unclear as to what an “aye” or “nay” vote on that would be. The briefing document gave a good deal of information, which included “move to establish guidelines for dedications at Decker Center, to include how they will be funded.” The alternatives, in the agenda packet on p. 147, was to consider the motion and proceed accordingly or to consider the motion and not proceed. The staff recommendation, on p. 148, was that Council may consider forming a small committee with representation from Council.

Mr. Rose moved, seconded by Mr. Malinowski, to follow staff’s recommendation to form a committee to present guidelines to full Council.

Mr. Manning made a friendly amendment to include dedications at any Richland County building.

Mr. C. Jackson stated, for clarification, if this means we will not do any future dedications until those guidelines have been approved by Council.

Mr. Rose stated, in his opinion, until guidelines are in place, if a majority of Council wanted to do something, they would have the ability to do so. Guidelines would be helpful in guiding us, going forward.

Ms. Dickerson stated we need some guidelines on this this because we are getting requests to do dedications, and we have not set any guidelines, as to how we would do them (i.e. expenses).

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Manning, Dickerson, N. Jackson, Livingston, Rose, and McBride

The vote in favor was unanimous.

- b. FY18-19 Annual Action Plan budgets for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds – Mr. Livingston stated the committee recommended approval of this item.

In Favor: Malinowski, C. Jackson, Myers, Pearce, Kennedy, Dickerson, N. Jackson, Livingston, Rose and McBride

The vote in favor was unanimous.

**Special Called  
July 10, 2018  
-18-**

# **RICHLAND COUNTY**

## **SPECIAL CALLED MEETING AGENDA**



**Tuesday, JULY 09, 2019**

**6:00 PM**

**COUNCIL CHAMBERS**

1 of 355

**20. OTHER ITEMS**

The Honorable Paul Livingston

- a. FY20 - District 8 Hospitality Tax Allocations [PAGES 350-351]
- b. FY 2019-2020 Annual Action Plan Budget for CDBG and HOME [PAGES 352-353]
- c. A Resolution to appoint and commission Jeremy Joseph Denny as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County [PAGE 354]
- d. A Resolution to appoint and commission Froilan Jose Rodriguez Rodriguez as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County [PAGE 355]

**21. EXECUTIVE SESSION**

Larry Smith,  
County Attorney

**22. MOTION PERIOD**

**23. ADJOURNMENT**



**Agenda Briefing**

**To:** Chair Paul Livingston and Members of Council  
**Prepared by:** Clayton Voignier, Director  
**Department:** Community Planning and Development

<b>Legal Review</b>	Elizabeth McLean via email	<b>Date:</b>	July 03, 2019
<b>Budget Review</b>	James Hayes via email	<b>Date:</b>	July 03, 2019
<b>Finance Review</b>	Stacey Hamm via email	<b>Date:</b>	July 03, 201
<b>Approved for Council consideration:</b>	Assistant County Administrator	Ashley Powell, Assoc. AIA, AICP	
<b>Subject:</b>	FY 2019-2020 Annual Action Plan Budget for CDBG and HOME		

**Recommended Action:**

Staff recommends approval of the FY 19-20 Annual Action Plan budget and projects for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds.

**Motion Requested:**

Move to approve the FY 19-20 Annual Action Plan budgets and projects for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds.

**Reconsideration:**  Yes

**Fiscal Impact:**

Funds for the \$169,145 HOME Match has been approved in County Council Biennium Budget in the General Fund. The County has provided the required match amount since the HOME program began in 2002.

**Motion of Origin:**

This request did not originate from a Council motion.

<b>Council Member</b>	
<b>Meeting</b>	
<b>Date</b>	

**Discussion:**

The FY19-20 Annual Action Plan budgets and projects for CDBG and HOME will be the basis of the Annual Action Plan (AAP) that will be sent to the U.S. Department of Housing and Urban Development (HUD) for approval. The AAP is used to identify housing and community development needs and to develop CDBG and HOME budgeting for the next annual period. The Richland County AAP will cover the fiscal period of October 1, 2019 – September 30, 2020.

The AAP implements the County’s 5 Year Consolidated Plan, approved in July 2017, which enables the County to continue to receive federal housing and community development funds and must be submitted to HUD by August 15, 2019.

A public meeting will be advertised and held on July 15, 2019. Please note this public meeting is not required to be a part of a Council meeting, but is still open to Council and the public to attend.

Please see below FY 19-20 Proposed Budgets for CDBG and HOME:

<b>FY 19-20 CDBG BUDGET</b>		<b>\$1,519,657</b>	
Shakespeare Crossing Community Center (Phase V)	\$135,000		
District 10 Atlas Road Park Construction (Phase II)	\$100,000		
Operation One Touch Minor Homeowner Rehabilitation	\$220,778		
Public Service Projects (Zoom Grants)	\$227,948		Cannot exceed 15%
Commercial Facade Improvement Broad River Road	\$362,000		
HOME Project Delivery	\$120,000		
Admin Costs	\$303,931		Cannot exceed 20%
<b>TOTAL</b>	<b>\$1,469,657</b>		
Excess	\$ 50,000		
<b>FY 19-20 HOME</b>		<b>\$676,580</b>	
<b>HOME local Match required from County</b>		<b>\$169,145</b>	25% required
<b>HOME Program Income</b>			
RCHAP	\$184,092		
CHDO	\$275,830		
Richland Rebuilds	\$250,000		
Administration	\$ 67,568		Cannot exceed 10%
<b>TOTAL</b>	<b>\$777,490</b>		
Excess	\$ 68,235		

**Attachments:**

n/a

- b. FY 2019-2020 Annual Action Plan Budget for CDBG and HOME – Ms. Myers moved, seconded by Ms. Dickerson, to approve this item.

Mr. Malinowski inquired about what happens with the home when the owner passes away or become incapacitated.

Mr. Voignier stated there is a 10-year lien on the home, so they have to remain in the home. If the individual passes away, it becomes heir property.

Mr. Livingston inquired how we get community feedback on the action plan.

Mr. Voignier stated there is a public comment period to gather public feedback. There are a couple of projects that are related to neighborhood master plan areas, so there has already been a lot of public feedback through those processes. This funding will support the master plans that are already in place.

In Favor: Terracio, Malinowski, Jackson, Newton, Myers, Kennedy, Manning, Walker, Dickerson, Livingston and McBride

The vote in favor was unanimous.

Ms. Myers moved, seconded by Ms. Dickerson, to reconsider this item.

Opposed: Terracio, Malinowski, Jackson, Newton, Myers, Kennedy, Walker, Dickerson, Livingston and McBride

Present but Not Voting: Manning

The motion for reconsideration failed.

- c. A Resolution to appoint and commission Jeremy Joseph Denny as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County – Mr. Manning moved, seconded by Ms. Dickerson, to approve this item.

In Favor: Terracio, Malinowski, Jackson, Newton, Myers, Kennedy, Manning, Walker, Dickerson, Livingston and McBride

The vote in favor was unanimous.

- d. A Resolution to appoint and commission Froilan Jose Rodriguez Rodriguez as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County – Mr. Manning moved, seconded by Ms. Dickerson, to approve this item.

In Favor: Terracio, Malinowski, Jackson, Newton, Myers, Kennedy, Manning, Walker, Dickerson, Livingston and McBride

The vote in favor was unanimous.

## 22. **EXECUTIVE SESSION**

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

Special Called Meeting

July 9, 2019

17





SUMMIT Engineering, Laboratory & Testing, PC (SUMMIT)  
3575 Centre Circle  
Fort Mill, South Carolina 29715  
[www.summit-companies.com](http://www.summit-companies.com)  
Phone: (704) 504-1717  
Fax: (704) 504-1125

May 4, 2020

Jennifer Wladischkin  
Procurement Manager  
Richland County Government  
2020 Hampton Street, Suite 3064  
Columbia, SC 29204

Subject: **Phase I Environmental Site Assessment**  
2045 Smith Street, Columbia, South Carolina  
SUMMIT Project No. 6117.500

Dear Ms. Wladischkin:

SUMMIT ENGINEERING, LABORATORY & TESTING, PC (SUMMIT) is pleased to submit the following report of our Phase I Environmental Site Assessment (ESA) of the property located at 2045 Smith Street, Richland County, Columbia, South Carolina (Richland County Tax ID: R13516-03-21). The assessment was performed in general accordance with ASTM Standard Practice E 1527-13: *Phase I Environmental Site Assessment Process*.

This report includes a description of the methodology of our investigation and a summary of our findings and conclusions. If you have any questions regarding our assessment of the subject property or our conclusions, please do not hesitate to call us at (704) 504-1717.

Sincerely,  
SUMMIT

A handwritten signature in blue ink, appearing to read "Michael D. Zavislak".

Michael D. Zavislak, NRCC-EAC, CHMM, CIH, PE  
Environmental Department Manager



**PHASE I ENVIRONMENTAL SITE ASSESSMENT**

**2045 Smith Street  
Columbia  
Richland County  
South Carolina  
SUMMIT Project No. 6117.500**

**Prepared For:**

**Richland County Government  
2020 Hampton Street, Suite 3064  
Columbia, SC 29204**

**Prepared By:**

**SUMMIT Engineering, Laboratory & Testing, PC (SUMMIT)  
3575 Centre Circle  
Fort Mill, South Carolina 29715  
704-504-1717**

**May 4, 2020**

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## 1.0 EXECUTIVE SUMMARY

SUMMIT ENGINEERING, LABORATORY & TESTING, PC (SUMMIT) has completed a Phase I Environmental Site Assessment (ESA) performed in general accordance with ASTM Standard E 1527-13 of the property located at 2045 Smith Street, Richland County, Columbia, South Carolina (Richland County Tax ID: R13516-03-21). SUMMIT personnel (Michael Zavislak) conducted the site reconnaissance on May 1, 2020.

A review of the public record for the site and immediate vicinity was conducted to characterize environmental features of the site and to identify past and present land use activities, on or in the vicinity of the site, which may indicate a potential for recognized environmental conditions. A site reconnaissance was performed to identify visual signs of past or existing contamination on or adjacent to the site, and to evaluate any evidence found in the review of the public record that might be indicative of activities resulting in hazardous substances or petroleum products being used or deposited on the site. Interviews with individuals' familiar with the site were conducted to consider any local knowledge of hazardous substances or petroleum products on the subject properties or on adjacent properties. The collected data was evaluated and the preliminary findings and conclusion of our investigation are summarized below. Additional information can be found within the report that is not included in the executive summary.

- The subject site consists of one (1) parcel of vacant residential land.

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM E 1527-13 of the property located at 2045 Smith Street, Richland County, Columbia, South Carolina (Richland County Tax ID: R13516-03-21). Any exceptions to, or deletions from, this practice are described in Section 9.0 of this report. This assessment has revealed no evidence of Recognized Environmental Conditions (RECs) in connection with the property.

## 2.0 INTRODUCTION

### 2.1. PURPOSE

SUMMIT was retained to complete a Phase I Environmental Site Assessment (ESA) of the property located at 2045 Smith Street, Richland County, Columbia, South Carolina (Richland County Tax ID: R13516-03-21). The purpose of this Phase I ESA is to identify, to the extent feasible pursuant to the processes described herein, recognized environmental conditions in connection with the subject property. This Phase I ESA was prepared in general accordance with the standard developed by the American Society for Testing and Materials (ASTM) entitled “E 1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.”

### 2.2. SCOPE OF SERVICES

This Phase I ESA consists of four components: records review, site reconnaissance, interviews and report preparation. SUMMIT's approach to performing this Environmental Site Assessment consisted of four major tasks in general accordance with the ASTM Standard Practice E 1527-13.

Task 1 - A review of the public record for the site and the immediate vicinity was conducted to characterize environmental features of the site and to identify past and present land use activities, on or in the vicinity of the site, which may indicate a potential for recognized environmental conditions. The review of the public record included:

1. Examination of reasonably ascertainable public records which are practically reviewable and made available to SUMMIT by regulatory personnel regarding past, present, and pending enforcement actions and investigations at the site and within the immediate vicinity.
2. Examination of readily available aerial photographs, fire insurance maps, street directories and topographic maps of the site and vicinity for evidence suggesting past uses that might have involved hazardous substances or petroleum products. The extent of the review of these resources was limited to information that was practically reviewable within the time and feasibility constraints of this ESA.

Task 2 - A site reconnaissance was performed to identify visual signs of past or existing contamination on or adjacent to the site, and to evaluate any evidence found in the review of the public record that might be indicative of activities resulting in hazardous substances or petroleum products being used or deposited on the site. The site reconnaissance included the following activities:

1. A visual reconnaissance of the site and adjacent property was performed to observe signs of spills, stressed vegetation, buried waste, underground or above ground storage tanks, subsidence, transformers, or unusual soil discoloration which may indicate the possible presence of contaminants on the property.
2. The periphery of the property was viewed.
3. Areas of the site were photographed to document the current use(s) of the property as well as significant conditions such as unusually discolored soil, stressed vegetation, or other significant features associated with the property.
4. The interior of the property that was accessible was observed and visual observations documented.

Task 3 - Interviews with appropriate local officials were conducted to consider any local knowledge of hazardous substances or petroleum products on the subject property or on adjacent property.

Task 4 - The collected data was evaluated and this report was prepared.

### **2.3. SIGNIFICANT ASSUMPTIONS**

SUMMIT has made no significant assumptions pertaining to evaluation of recognized environmental conditions or potential recognized environmental conditions during this Phase I Environmental Site Assessment.

### **2.4. LIMITATIONS AND EXCEPTIONS**

The findings of this report are limited to conditions observed at the time of the site reconnaissance, interviews with the landowners, and review of obtained public documents and may not represent conditions at a later date. The site reconnaissance was conducted by walking select portions of the property boundaries and interior of the subject property.

Much of the information provided in this report based upon personal interviews and review of available public documents, records and maps held by government and private agencies. This report is subject to the limitations of historical documentations, availability and accuracy of pertinent records, and the personal recollection of those persons contacted.

### **2.5. SPECIAL TERMS AND CONDITIONS**

All materials and information used on this project were obtained by SUMMIT. The resulting report is provided for use by Richland County Government.



## 2.6. USER RELIANCE

The resulting report is provided for the sole use by Richland County Government. Use of this report by any third parties will be at such party's sole risk, and **SUMMIT** disclaims liability for any use or reliance by third parties.

### **3.0 SITE DESCRIPTION**

#### **3.1. LOCATION AND LEGAL DESCRIPTION**

The property is located along Louisa Street in Columbia, Richland County, South Carolina. A physical address of 2045 Smith Street and is identified as Richland County Tax ID: R13516-03-21. Refer to the Site Location Map shown in Figure 3 of Appendix I for the location of the subject property. Refer to Appendix IV for copies of the property deeds for full legal descriptions. A detailed layout of the parcels can be found on the Detail Map, Figure 2 in Appendix I.

#### **3.2. SITE DESCRIPTION**

The site is irregular in shape and was noted to be comprised of one (1) parcel of vacant residential land. A detailed layout of the property boundaries can be found on the Site Boundary Map, Figure 2 in Appendix I.

#### **3.3. SITE AND VICINITY GENERAL CHARACTERISTICS**

The subject site is currently vacant residential land. The subject site is bound to the north, east, south and west by residential development. Refer to the Aerial Photograph shown in Figure 2 of Appendix I.

#### **3.4. CURRENT USE OF PROPERTY**

The subject property is currently vacant.

#### **3.5. DESCRIPTIONS OF STRUCTURES, ROADS, OTHER IMPROVEMENTS ON THE SITE**

The subject site does not have any improvements.

#### **3.6. CURRENT USES OF ADJOINING PROPERTY**

The subject site is bound to the north, east, south and west by residential development. Refer to the Detail Map shown in Figure 2 of Appendix I.

## **4.0 USER PROVIDED INFORMATION**

### **4.1. TITLE RECORDS**

The client did not provide copies of the deed and chain-of-title to the property. Copies of the Deeds for the subject properties are located in Appendix IV.

### **4.2. ENVIRONMENTAL LIENS OR ACTIVITY AND USE LIMITATIONS**

The client did not provide any information regarding any environmental liens or judgments against the subject property. Based on the responses received at this time from current property owner, the owner has no knowledge of environmental liens or conditions regarding the subject site. Refer to Appendix V.

### **4.3. SPECIALIZED KNOWLEDGE**

No Specialized knowledge was provided to SUMMIT at the time of this report.

### **4.4. OWNER, PROPERTY MANAGER AND/OR OCCUPANT INFORMATION**

According to a review of Richland County Register of Deeds along with Richland County, South Carolina, Internet Mapping System, the current owner of the subject site is: Atlas Road Community Organization, 2401 Harlem St, Columbia, SC.

### **4.5. REASON FOR PERFORMING PHASE I**

SUMMIT understands that the Phase I ESA is being performed in association with due diligence of the proposed redevelopment of the property.

## 5.0 RECORDS REVIEW FINDINGS

### 5.1. STANDARD ENVIRONMENTAL RECORD SOURCES

SUMMIT reviewed a database search of standard Federal, State and Tribal environmental records for the site and surrounding properties. Environmental Data Resources (EDR) of Southport, Connecticut was contracted to perform the regulatory database search which includes all records identified and/or located within the minimum search distances as specified by ASTM 1527-13. Descriptions of the databases searched and acronyms are provided in the complete database report presented as an attachment in Appendix III of this report.

#### 5.1.1. Federal ASTM Records

The RCRA database includes selective information on sites which generate, transport, store, treat and/or dispose (TSD) of hazardous waste as defined by the RCRA. A review of the TSD database search indicated that the subject properties are not included on the TSD list, and there are no documented sites within 0.5 miles of the subject property. A large quantity generator regulated under RCRA is a generator that produces more than 1,000 kilograms of hazardous material per month. A small quantity generator regulated under RCRA is a generator that produces between 100 and 1,000 kilograms of hazardous waste per month. A conditionally exempt small quantity generator regulated under RCRA is a generator that produces less than 100 kilograms of hazardous waste per month, or less than 1 kilogram of acutely hazardous waste per month. A review of the RCRIS generator databases indicated that the subject is not included on the RCRIS generators lists, and there is one (1) documented site within 0.25 miles of the subject property. Based on the distance, relative topographic elevation and incident information of the listed sites; they would not appear to be a concern to the subject site.

#### 5.1.2. State of South Carolina ASTM Records

The SHWS database is a list of sites in South Carolina that are known or suspected of having had a release of a regulated substance above a reportable quantity. A review of this database indicated that the subject property is not included on the SHWS list, and there are four (4) documented sites within 1.0 mile of the subject property. Based on the distance, relative topographic elevation and incident information of the listed sites; they would not appear to be a concern to the subject site.

The SWF/LF database is an inventory of solid waste disposal facilities or landfills in a particular state. A review of this database indicated that the subject property is not included on the SWF/LF list, and there is one (1) documented site within 1.0 mile of the subject property. Based on the distance, relative topographic elevation and incident information of the listed sites; they would not appear to be a concern to the subject site.

The Aboveground Storage Tank (AST) database contains registered ASTs. The data come from the Department of Health and Environmental Control Petroleum Aboveground Storage Tank Database. The review of the database search indicated that the subject properties are not included on the AST list, and there is one (1) documented AST site within 0.25 miles of the subject site. Based on the distance, relative topographic elevation and incident information of the listed sites; they would not appear to be a concern to the subject site.

### 5.1.3. Non-Federal and State ASTM Records

In addition to Federal and State ASTM Standard Database Records, several supplemental databases were also searched by EDR. The review of the database searches indicated that the subject properties are not included on the additional Non-Federal and State ASTM Records lists. For the list of Non-Federal and State ASTM Databases searched and the specified search radii, please refer to Appendix III.

The subject site is not listed in any additional Non-Federal and State ASTM Records lists. A review of the remaining Non-Federal and State ASTM Records did not identify any environmental concerns with respect to the subject site at the time of this report. For the list of Non-Federal and State ASTM Databases searched and the specified search radii, please refer to Appendix III.

### 5.1.4. Orphan Sites

No orphan sites were identified by EDR's environmental database search. Orphan sites do not contain sufficient geographical information such as street address to accurately determine their location.

## 5.2. REGULATORY AGENCY FILE AND RECORDS REVIEW

Regulatory file reviews are utilized by SUMMIT in an attempt to obtain sufficient information in order to further assist in the determination of REC, HRECs, CRECs, or de minimis conditions

at the property in connection with an environmental record listing for the subject property and/or adjacent properties. SUMMIT could not find any additional environmental regulatory files to review for this site.

### **5.3. ADDITIONAL ENVIRONMENTAL RECORD SOURCES**

SUMMIT was unable to locate any other environmental records associated with the subject property; therefore, no Agency File review was conducted.

### **5.4. PHYSICAL SETTING SOURCES**

#### **5.4.1. Topography**

The United States Geological Survey (USGS) Columbia North 7.5-minute topographic quadrangle map was reviewed. According to the contour lines on the topographic map, the elevation of the subject site averages approximately 160 feet above Mean Sea Level (MSL). The contour lines indicate the general direction of downward slope is to the south towards an un-named creek. The un-named creek flows into Reeder Point Branch. Reeder Point Branch flows into Mill Creek. Mill Creek flows into the Congaree River.

#### **5.4.2. Geology and Hydrogeology**

The property is located in Richland County, South Carolina, on an old river terrace formed in the Piedmont Physiographic Province of South Carolina near the *Fall Line*. The soils of this terrace are composed of a mixture of re-deposited material washed from upstream sources of ancient rivers, and are typically mixed with rocks that vary in size and depth which have been rounded through years of exposure to flowing water. The deposits in these areas are highly variable and may cover areas of the river bed and associated flood plains. Ultimately these terraces are underlain by firmer materials of the Piedmont Physiographic Province. The Piedmont Province generally consists of well-rounded hills and ridges which are dissected by a well-developed system of draws and streams. The Piedmont Province is predominantly underlain by metamorphic rock (formed by heat, pressure and/or chemical action) and igneous rock (formed directly from molten material) which were initially formed during the Precambrian and Paleozoic eras. The volcanic and sedimentary rocks deposited in the Piedmont Province during the Precambrian era were the host from the metamorphism and were changed to gneiss and schist. The more recent Paleozoic era had periods

of igneous emplacement, with at least episodes of regional metamorphism resulting in the majority of the rock types seen today.

Based on a review of the United States Geological Survey (USGS) “Columbia North” quadrangle topographic map, inferred groundwater flow direction based on topography appears to be to the south towards an un-named creek. Refer to Figure 1 in Appendix I for a topographic map for the subject property.

### **5.4.3. Site Soils**

The site soils predominantly consist of the following types:

NoA—Norfolk loamy sand, 0 to 2 percent slopes

## **5.5. HISTORICAL USE INFORMATION ON THE PROPERTY**

### **5.5.1. Historical Use of Property Records Review**

There was no fifty-year chain of title review conducted. This information was not provided to SUMMIT for review. Copies of the current warranty deeds are included in Appendix IV. The owners of the subject properties are detailed in section 4.4 of this report.

### **5.5.2. Historical Aerial Photographs**

The 1939, 1959, 1996, 2000, 2004, 2006, 2007, 2009, 2010, 2012, 2014 and 2016 aerial photographs from the Richland County SC GIS were reviewed on May 1, 2020.

- **1939** – The subject site appears to be agricultural.
- **1959 – 2007** The subject site appears to contain one residential dwelling.
- **2007** –The subject site appears to be vacant residential land.

### **5.5.3. Historical Sanborn Fire Insurance Maps**

Environmental Data Resources (EDR) of Southport, Connecticut was contacted to perform a database search of Sanborn Fire Insurance maps. EDR maintains the largest library of Sanborn Fire Insurance maps available. The Sanborn Maps show the subject site with two (2) residential dwellings.

### **5.5.4. City Directories**

City Directories were not reviewed for this report.

### **5.5.5. Historic Topographic Maps**

Historic Topographic Maps were not reviewed for this report.

## **5.6. HISTORICAL USE INFORMATION ON ADJOINING PROPERTIES**

### **5.6.1. Historical Aerial Photographs**

The 1939, 1959, 1996, 2000, 2004, 2006, 2007, 2009, 2010, 2012, 2014 and 2016 aerial photographs from the Richland County SC GIS were reviewed on May 1, 2020.

- **1939** – The subject site appears to be agricultural.
- **1959 – 2016** –The adjacent properties appear to be residential land.

### **5.6.2. Historical Sanborn Fire Insurance Maps**

Environmental Data Resources (EDR) of Southport, Connecticut was contacted to perform a database search of Sanborn Fire Insurance maps. EDR maintains the largest library of Sanborn Fire Insurance maps available. Sanborn Maps were not available for the subject site.

### **5.6.3. City Directories**

City Directories were not reviewed for this report.

## **5.7. PURCHASE PRICE**

### **5.6.1 Significantly Lower Purchase Price**

SUMMIT could not determine the purchase price of the subject parcel.

## **5.8. DATA GAPS**

As per ASTM E1527-13 section 3.2.20, a data gap is defined as a lack of or inability to obtain information required by this practice despite good faith efforts by the environmental professional to gather such information.

No data gaps were encountered during the completion of this Phase I ESA.



## 6.0 RECONNAISSANCE FINDINGS

- **SUMMIT** personnel (Michael Zavislak) conducted a visual reconnaissance of the site and the immediate vicinity on May 1, 2020. Photographs of the site were taken to represent conditions on and around the site and are included in Appendix II.

### 6.1. METHODOLOGY AND LIMITING CONDITIONS

The site reconnaissance was conducted by **SUMMIT** personnel (Michael Zavislak) by walking the property boundaries and accessible portions of the interior of the property.

### 6.2. GENERAL SITE SETTING

The subject site is located in an urban setting in near downtown Columbia, South Carolina.

### 6.3. OBSERVATIONS

A site reconnaissance on May 1, 2020 was performed by walking property boundaries and accessible portions of the interior of the property. Reconnaissance of adjacent property was limited to parts that were readily observable from accessible portions of the subject property and public areas.

#### 6.3.1. Site Operations, Processes, and Equipment

Item or Feature	Observed
Emergency generators	No
Air compressors	No
Hydraulic lifts	No
Dry cleaning	No
Photo processing	No
Laboratory hoods and/or incinerators	No
Waste treatment systems and/or water treatment systems	No
Heating and/or cooling systems	<b>Yes</b>
Other processes or equipment	No

Standard residential HVAC units were observed in connection with the adjacent residential structures. No environmental concerns were observed in connection with these HVAC units. No

other features or operations were observed in connection with the subject site at the time of our reconnaissance.

### 6.3.2. Aboveground Chemical or Waste Storage

Item or Feature	Observed
Aboveground storage tanks	No
Drums, barrels and/or containers > 5 gallons	No
MSDS	No
Parts Washer	No
Other	No

No aboveground chemical containers or waste storage was observed on the subject site at the time of our reconnaissance.

### 6.3.3. Underground Chemical or Waste Storage, Drainage or Collection Systems

Item or Feature	Observed
Underground storage tanks or ancillary UST equipment	No
Sumps, cisterns, catch basins and/or dry wells	No
Grease traps	No
Septic tanks and/or leach fields	No
Oil/Water separators	No
Pipeline markers	No
Interior floor drains	No
Other	No

No Underground Storage Tanks or septic systems were observed in the area.

### 6.3.4. Electrical Transformers / PCBs

Item or Feature	Observed
Pad or pole mounted transformers and/or capacitors	Yes
Other equipment	No

Multiple pole mounted electrical transformers were observed on the adjacent sites. This transformer appeared to be relatively new, in good condition, with no obvious signs of leakage. In addition, the

transformer appears to be owned by the local utility company. Therefore, the presence of transformers are not considered to represent environmental conditions at the time of this report.

### 6.3.5. Releases or Potential Releases

Item or Feature	Observed
Stressed vegetation	No
Stained soil	No
Stained pavement or similar surface	No
Leachate and/or waste seeps	No
Trash, debris and/or other waste materials	No
Dumping or disposal areas	No
Construction/demolition debris and/or dumped fill dirt	No
Surface water discoloration, odor, sheen, and/or free-floating product	No
Strong, pungent or noxious odors	No
Exterior pipe discharges and/or effluent discharges	No
Other	No

No obvious signs of a releases or potential releases were observed in connection with the subject site, at the time of our visit.

### 6.3.6. Other Notable Site Features

Item or Feature	Observed
Surface water bodies	No
Quarries or pits	No
Wells	No
Storm water	No
Other site features	No

No other notable site features were observed at the time of this report.

### 6.3.7. Adjacent Property Reconnaissance

The site is located in a residential area of Richland County. Refer to the Detail Map shown in Figure 2 of Appendix I.

## **7.0 INTERVIEWS**

As part of the Phase I ESA, **SUMMIT** interviewed persons familiar with the history of the subject properties and representatives of local and state agencies where possible.

### **7.1. INTERVIEW WITH OWNERS**

According to a review of Richland County Register of Deeds along with Richland County, South Carolina, Internet Mapping System, the current owner of the subject site is: Atlas Road Community Organization, 2401 Harlem St, Columbia, SC. Refer to Appendix V.

### **7.2. INTERVIEW WITH PREVIOUS OWNERS**

**SUMMIT** could not locate the previous owners.

### **7.3. INTERVIEW WITH OCCUPANTS**

The subject site vacant.

### **7.4. INTERVIEWS WITH LOCAL GOVERNMENT OFFICIALS**

Personnel with the South Carolina Department of Health and Environmental Control (SCDHEC) were contacted for interview concerning knowledge of any releases of hazardous substances or petroleum products on the property.

## 8.0 SUMMARY AND CONCLUSIONS

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM E 1527-13 of the property located at 2045 Smith Street, Richland County, Columbia, South Carolina (Richland County Tax ID: R13516-03-21). Any exceptions to, or deletions from, this practice are described in Section 9.0 of this report. This assessment has revealed no evidence of Recognized Environmental Conditions (RECs) in connection with the property.

## 9.0 DEVIATIONS

This Phase I ESA was prepared in general accordance with the standard developed by the American Society for Testing and Materials (ASTM) entitled “E 1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process”.

The findings of this report are limited to conditions observed at the time of the site reconnaissance, interviews with the landowners, and review of obtained public documents and may not represent conditions at a later date. The site reconnaissance was conducted by walking select portions of the property boundaries and interior of the subject properties.

Much of the information provided in this report based upon personal interviews and review of available public documents, records and maps held by government and private agencies. This report is subject to the limitations of historical documentations, availability and accuracy of pertinent records, and the personal recollection of those persons contacted.

There was no evidence on the reviewed aerial photographs indicating that open dumping or hazardous material storage had ever occurred on the subject property. However, the scales and clarity of the aerial photographs, combined with the small size of the subject site prohibit the identification of any open dumping or hazardous material storage.

## 10.0 ADDITIONAL SERVICES

ASTM Standard Practice E 1527-13 does not typically include the identification of asbestos-containing material (ACM), asbestos containing building materials (ACBM), lead-based paint, mold, and wetlands within its scope of work when identifying environmental conditions associated with commercial property. However, these issues can present a liability to the owner or prospective purchaser.

## 11.0 REFERENCES

United States Geological Survey (USGS) 7.5-minute Topographic Map of the Columbia North Topographic Quadrangle, [www.mytopo.com](http://www.mytopo.com)

Richland County GIS - <http://www.richlandmaps.com/apps/gmap/>



## 12.0 QUALIFICATION(S) OF ENVIRONMENTAL PROFESSIONALS

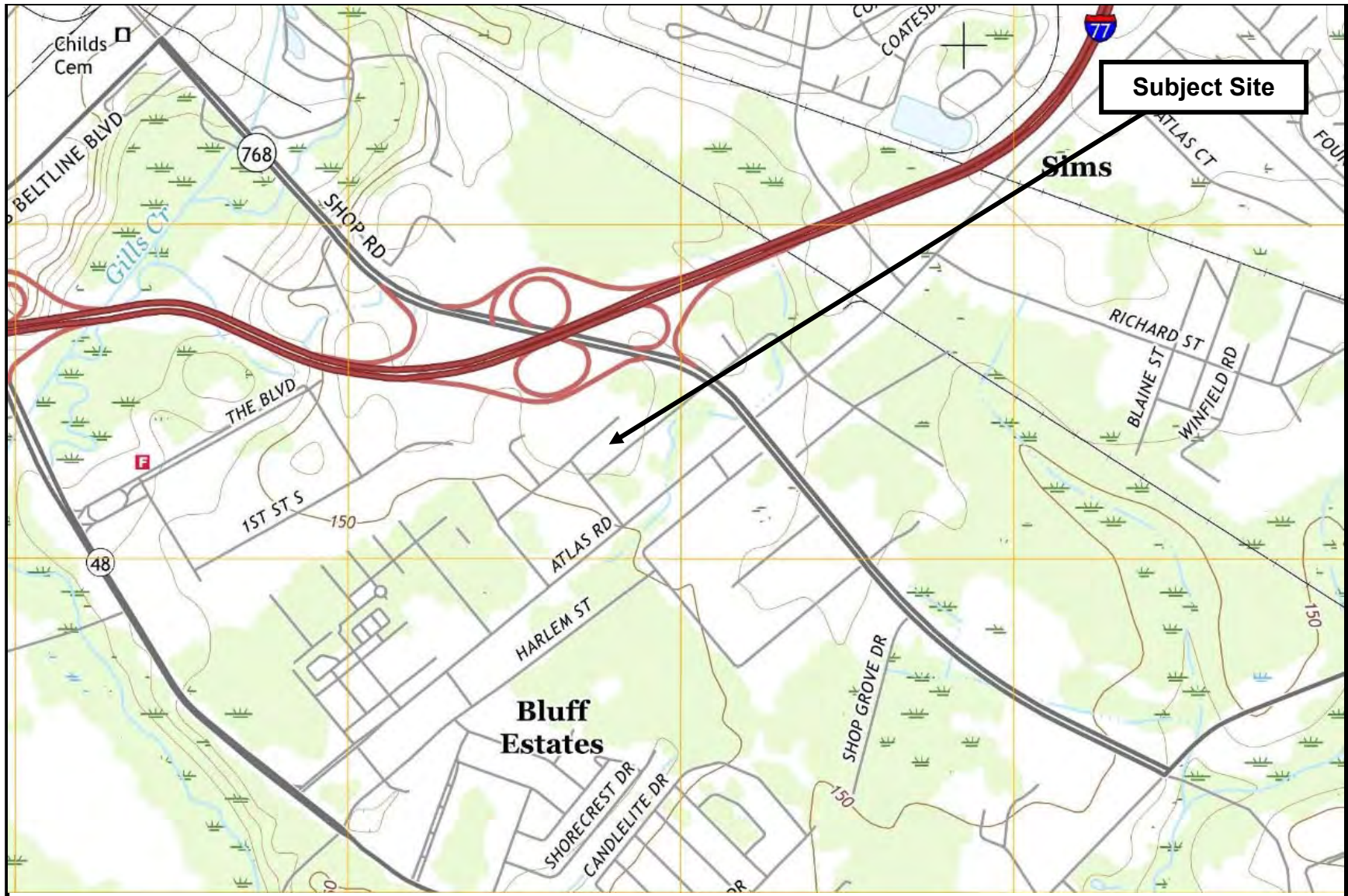
The environmental professionals for this project are listed below.

Mr. Zavislak is a registered Professional Engineer (PE) in the States of Arizona, California, Colorado, Georgia, Hawaii, Idaho, Illinois, Kentucky, Maryland, Mississippi, Montana, Nevada, New Hampshire, New Mexico, North Carolina, South Carolina, South Dakota, Texas, Virginia, West Virginia, Wyoming, and Washington DC and Puerto Rico, a certified Environmental Analytical Chemist (NRCC-EAC), a Certified Hazardous Materials Manager (CHMM), a Certified Industrial Hygienist (CIH) and the Environmental Department Manager for **SUMMIT**. Mr. Zavislak has over twenty-five years of experience in the environmental field. Previous environmental experience includes managing and operating several environmental laboratories, performing numerous environmental research projects, and managing and performing a multitude of environmental projects that include asbestos, lead-based paint, Phase I/II/III Environmental Site Assessments (ESA), Polychlorinated Biphenyl's (PCBs), hazardous waste, industrial hygiene, mold, indoor air quality, wetlands, storm water, Spill Prevention Control and Countermeasure (SPCC) Plans, Underground Storage Tank (UST) closures, soil and groundwater contamination monitoring and remediation, and construction management. Mr. Zavislak is also Adjunct Faculty at Greenville Technical College teaching classes on asbestos, health and safety, lead-based paint and hazardous waste.

We declare that the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312 and we have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

# APPENDIX I

## FIGURES



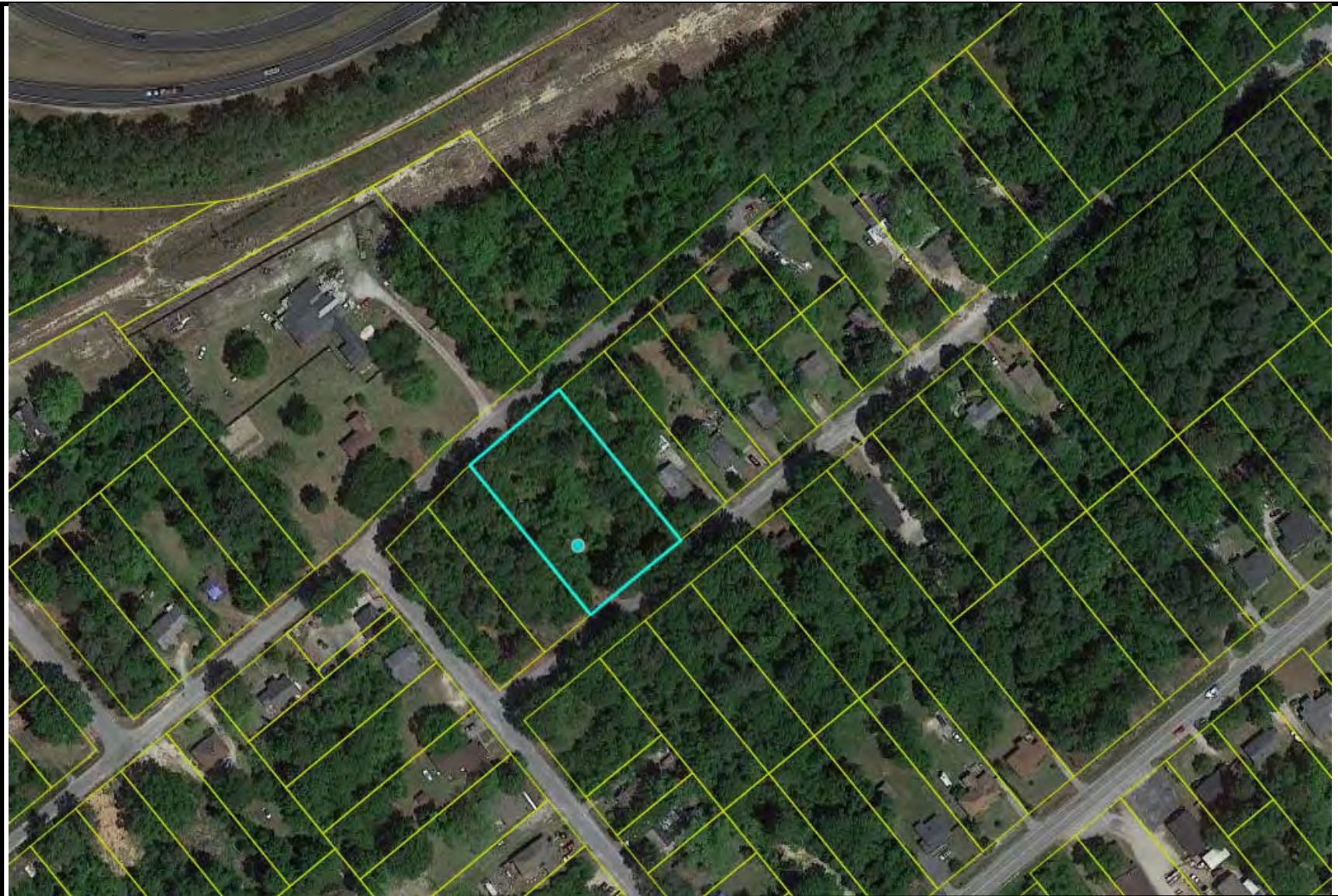
**Figure 1**  
**USGS Topographic Map**

**2045 Smith Street**  
**Columbia, SC**



**SUMMIT ELT, PC**

Project: 6117.500



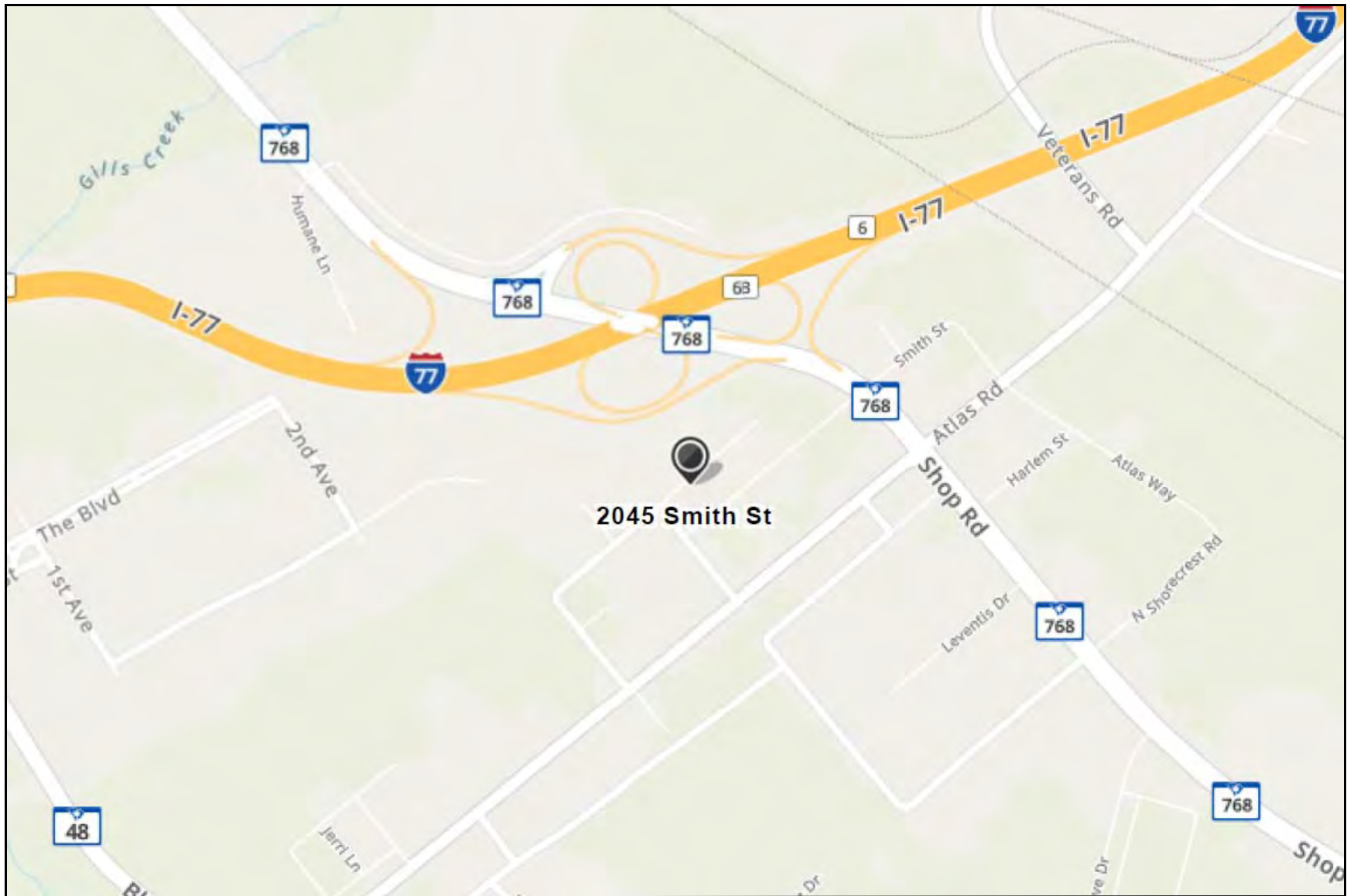
**Figure 2**  
**Aerial Photograph**

**2045 Smith Street**  
**Columbia, SC**



**SUMMIT ELT, PC**

Project: 6117.500



**Figure 3**  
**Site Location Map**

**2045 Smith Street**  
**Columbia, SC**



**SUMMIT ELT, PC**

Project: 6117.500

APPENDIX II  
SITE PHOTOGRAPHS

## SITE PHOTOGRAPHS



Southern portion of site.



Southern portion of site.



Southern portion of site.



Southern portion of site.





Center of site.



Center of site.



Center of site.



Northern portion of site.



Northern portion of site.



Northern portion of site.

APPENDIX III  
ENVIRONMENTAL DATABASE SEARCH

2045 Smith St  
2045 Smith St  
Columbia, SC 29209

Inquiry Number: 6020400.5

March 24, 2020

## Certified Sanborn® Map Report



6 Armstrong Road, 4th floor  
Shelton, CT 06484  
Toll Free: 800.352.0050  
[www.edrnet.com](http://www.edrnet.com)

# Certified Sanborn® Map Report

03/24/20

**Site Name:**

2045 Smith St  
2045 Smith St  
Columbia, SC 29209  
EDR Inquiry # 6020400.5

**Client Name:**

SUMMIT Engineering, Laboratory & Testin  
P O Box 7384  
Charlotte, NC 28241  
Contact: M. Zavislak



The Sanborn Library has been searched by EDR and maps covering the target property location as provided by SUMMIT Engineering, Laboratory & Testing, PC were identified for the years listed below. The Sanborn Library is the largest, most complete collection of fire insurance maps. The collection includes maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow, and others. Only Environmental Data Resources Inc. (EDR) is authorized to grant rights for commercial reproduction of maps by the Sanborn Library LLC, the copyright holder for the collection. Results can be authenticated by visiting [www.edrnet.com/sanborn](http://www.edrnet.com/sanborn).

The Sanborn Library is continually enhanced with newly identified map archives. This report accesses all maps in the collection as of the day this report was generated.

### Certified Sanborn Results:

**Certification #** 5DCD-4F15-8838  
**PO #** NA  
**Project** 6117.500

### UNMAPPED PROPERTY

This report certifies that the complete holdings of the Sanborn Library, LLC collection have been searched based on client supplied target property information, and fire insurance maps covering the target property were not found.



Sanborn® Library search results

Certification #: 5DCD-4F15-8838

The Sanborn Library includes more than 1.2 million fire insurance maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow and others which track historical property usage in approximately 12,000 American cities and towns. Collections searched:

- Library of Congress
- University Publications of America
- EDR Private Collection

*The Sanborn Library LLC Since 1866™*

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**2045 Smith St**  
2045 Smith St  
Columbia, SC 29209

Inquiry Number: 6020400.2s  
March 24, 2020

## The EDR Radius Map™ Report with GeoCheck®



6 Armstrong Road, 4th floor  
Shelton, CT 06484  
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*Thank you for your business.*  
Please contact EDR at 1-800-352-0050  
with any questions or comments.

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## EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc (EDR). The report was designed to assist parties seeking to meet the search requirements of EPA's Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), the ASTM Standard Practice for Environmental Site Assessments (E 1527-13), the ASTM Standard Practice for Environmental Site Assessments for Forestland or Rural Property (E 2247-16), the ASTM Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process (E 1528-14) or custom requirements developed for the evaluation of environmental risk associated with a parcel of real estate.

### TARGET PROPERTY INFORMATION

#### ADDRESS

2045 SMITH ST  
COLUMBIA, SC 29209

#### COORDINATES

Latitude (North): 33.9473310 - 33° 56' 50.39"  
Longitude (West): 80.9701880 - 80° 58' 12.67"  
Universal Transverse Mercator: Zone 17  
UTM X (Meters): 502754.8  
UTM Y (Meters): 3756122.2  
Elevation: 162 ft. above sea level

### USGS TOPOGRAPHIC MAP ASSOCIATED WITH TARGET PROPERTY

Target Property Map: 6064345 FORT JACKSON SOUTH, SC  
Version Date: 2014

### AERIAL PHOTOGRAPHY IN THIS REPORT

Portions of Photo from: 20150430  
Source: USDA

MAPPED SITES SUMMARY

Target Property Address:  
 2045 SMITH ST  
 COLUMBIA, SC 29209

Click on Map ID to see full detail.

MAP ID	SITE NAME	ADDRESS	DATABASE ACRONYMS	RELATIVE ELEVATION	DIST (ft. & mi.) DIRECTION
<a href="#">A1</a>	GIBSON & QUATTLEBAUM	2201 ATLAS RD	RCRA-VSQQ, FINDS, ECHO	Lower	873, 0.165, SSW
<a href="#">A2</a>	TAYLOR BROTHERS CONS	2201 ATLAS ROAD	AST	Lower	873, 0.165, SSW
<a href="#">3</a>	PHENIX SUPPLY COMPAN	1200 1ST STREET SOUT	SHWS, DRYCLEANERS	Lower	2047, 0.388, West
<a href="#">4</a>	CITY OF COLUMBIA		SWF/LF	Higher	2526, 0.478, NW
<a href="#">5</a>	FURON CO/HELICOFLEX	2770 THE BLVD	SHWS, NPDES	Lower	3587, 0.679, West
<a href="#">6</a>	BOOZER LUMBER	1400 ATLAS RD	SHWS, AUL, VCP, BROWNFIELDS, ALLSITES, GWCI, UIC	Higher	4653, 0.881, ENE
<a href="#">7</a>	ANCHOR CONTINENTAL I	2000 S BELTLINE BLVD	SHWS	Lower	4808, 0.911, NW

# EXECUTIVE SUMMARY

## TARGET PROPERTY SEARCH RESULTS

The target property was not listed in any of the databases searched by EDR.

## DATABASES WITH NO MAPPED SITES

No mapped sites were found in EDR's search of available ("reasonably ascertainable ") government records either on the target property or within the search radius around the target property for the following databases:

## STANDARD ENVIRONMENTAL RECORDS

### ***Federal NPL site list***

NPL..... National Priority List  
Proposed NPL..... Proposed National Priority List Sites  
NPL LIENS..... Federal Superfund Liens

### ***Federal Delisted NPL site list***

Delisted NPL..... National Priority List Deletions

### ***Federal CERCLIS list***

FEDERAL FACILITY..... Federal Facility Site Information listing  
SEMS..... Superfund Enterprise Management System

### ***Federal CERCLIS NFRAP site list***

SEMS-ARCHIVE..... Superfund Enterprise Management System Archive

### ***Federal RCRA CORRACTS facilities list***

CORRACTS..... Corrective Action Report

### ***Federal RCRA non-CORRACTS TSD facilities list***

RCRA-TSDF..... RCRA - Treatment, Storage and Disposal

### ***Federal RCRA generators list***

RCRA-LQG..... RCRA - Large Quantity Generators  
RCRA-SQG..... RCRA - Small Quantity Generators

### ***Federal institutional controls / engineering controls registries***

LUCIS..... Land Use Control Information System  
US ENG CONTROLS..... Engineering Controls Sites List  
US INST CONTROL..... Sites with Institutional Controls

## EXECUTIVE SUMMARY

### ***Federal ERNS list***

ERNS..... Emergency Response Notification System

### ***State and tribal leaking storage tank lists***

LUST..... Leaking Underground Storage Tank List  
INDIAN LUST..... Leaking Underground Storage Tanks on Indian Land

### ***State and tribal registered storage tank lists***

FEMA UST..... Underground Storage Tank Listing  
UST..... Comprehensive Underground Storage Tanks  
INDIAN UST..... Underground Storage Tanks on Indian Land

### ***State and tribal institutional control / engineering control registries***

RCR..... Registry of Conditional Remedies  
AUL..... Land Use Controls

### ***State and tribal voluntary cleanup sites***

VCP..... Voluntary Cleanup Sites  
INDIAN VCP..... Voluntary Cleanup Priority Listing

### ***State and tribal Brownfields sites***

BROWNFIELDS..... Brownfields Sites Listing

### **ADDITIONAL ENVIRONMENTAL RECORDS**

#### ***Local Brownfield lists***

US BROWNFIELDS..... A Listing of Brownfields Sites

#### ***Local Lists of Landfill / Solid Waste Disposal Sites***

SWRCY..... Solid Waste Recycling Facilities  
INDIAN ODI..... Report on the Status of Open Dumps on Indian Lands  
ODI..... Open Dump Inventory  
DEBRIS REGION 9..... Torres Martinez Reservation Illegal Dump Site Locations  
IHS OPEN DUMPS..... Open Dumps on Indian Land

#### ***Local Lists of Hazardous waste / Contaminated Sites***

US HIST CDL..... Delisted National Clandestine Laboratory Register  
ALLSITES..... Site Assessment & Remediation Public Record Database  
CDL..... Clandestine Drug Lab Sites  
US CDL..... National Clandestine Laboratory Register

#### ***Local Land Records***

LIENS 2..... CERCLA Lien Information

## EXECUTIVE SUMMARY

### **Records of Emergency Release Reports**

HMIRS.....	Hazardous Materials Information Reporting System
SPILLS.....	Spills Database List
SPILLS 90.....	SPILLS 90 data from FirstSearch
SPILLS 80.....	SPILLS 80 data from FirstSearch

### **Other Ascertainable Records**

RCRA NonGen / NLR.....	RCRA - Non Generators / No Longer Regulated
FUDS.....	Formerly Used Defense Sites
DOD.....	Department of Defense Sites
SCRD DRYCLEANERS.....	State Coalition for Remediation of Drycleaners Listing
US FIN ASSUR.....	Financial Assurance Information
EPA WATCH LIST.....	EPA WATCH LIST
2020 COR ACTION.....	2020 Corrective Action Program List
TSCA.....	Toxic Substances Control Act
TRIS.....	Toxic Chemical Release Inventory System
SSTS.....	Section 7 Tracking Systems
ROD.....	Records Of Decision
RMP.....	Risk Management Plans
RAATS.....	RCRA Administrative Action Tracking System
PRP.....	Potentially Responsible Parties
PADS.....	PCB Activity Database System
ICIS.....	Integrated Compliance Information System
FTTS.....	FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)
MLTS.....	Material Licensing Tracking System
COAL ASH DOE.....	Steam-Electric Plant Operation Data
COAL ASH EPA.....	Coal Combustion Residues Surface Impoundments List
PCB TRANSFORMER.....	PCB Transformer Registration Database
RADINFO.....	Radiation Information Database
HIST FTTS.....	FIFRA/TSCA Tracking System Administrative Case Listing
DOT OPS.....	Incident and Accident Data
CONSENT.....	Superfund (CERCLA) Consent Decrees
INDIAN RESERV.....	Indian Reservations
FUSRAP.....	Formerly Utilized Sites Remedial Action Program
UMTRA.....	Uranium Mill Tailings Sites
LEAD SMELTERS.....	Lead Smelter Sites
US AIRS.....	Aerometric Information Retrieval System Facility Subsystem
US MINES.....	Mines Master Index File
ABANDONED MINES.....	Abandoned Mines
FINDS.....	Facility Index System/Facility Registry System
ECHO.....	Enforcement & Compliance History Information
UXO.....	Unexploded Ordnance Sites
DOCKET HWC.....	Hazardous Waste Compliance Docket Listing
FUELS PROGRAM.....	EPA Fuels Program Registered Listing
AIRS.....	Permitted Airs Facility Listing
ASBESTOS.....	ASBESTOS
COAL ASH.....	Coal Ash Disposal Sites
DRYCLEANERS.....	Drycleaner Database
Financial Assurance.....	Financial Assurance Information Listing
GWCI.....	Groundwater Contamination Inventory
NPDES.....	Waste Water Treatment Facilities Listing

## EXECUTIVE SUMMARY

UIC..... Underground Injection Wells Listing  
MINES MRDS..... Mineral Resources Data System  
MANIFEST..... Hazardous Waste Manifest Data

### EDR HIGH RISK HISTORICAL RECORDS

#### ***EDR Exclusive Records***

EDR MGP..... EDR Proprietary Manufactured Gas Plants  
EDR Hist Auto..... EDR Exclusive Historical Auto Stations  
EDR Hist Cleaner..... EDR Exclusive Historical Cleaners

### EDR RECOVERED GOVERNMENT ARCHIVES

#### ***Exclusive Recovered Govt. Archives***

RGA HWS..... Recovered Government Archive State Hazardous Waste Facilities List  
RGA LF..... Recovered Government Archive Solid Waste Facilities List  
RGA LUST..... Recovered Government Archive Leaking Underground Storage Tank

### SURROUNDING SITES: SEARCH RESULTS

Surrounding sites were identified in the following databases.

Elevations have been determined from the USGS Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified. Sites with an elevation equal to or higher than the target property have been differentiated below from sites with an elevation lower than the target property.

Page numbers and map identification numbers refer to the EDR Radius Map report where detailed data on individual sites can be reviewed.

Sites listed in ***bold italics*** are in multiple databases.

Unmappable (orphan) sites are not considered in the foregoing analysis.

### STANDARD ENVIRONMENTAL RECORDS

#### ***Federal RCRA generators list***

RCRA-VSQG: RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Very small quantity generators (VSQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

A review of the RCRA-VSQG list, as provided by EDR, and dated 12/16/2019 has revealed that there is 1 RCRA-VSQG site within approximately 0.25 miles of the target property.

<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<b><i>GIBSON &amp; QUATTLEBAUM</i></b> EPA ID:: SCR000073874	<b><i>2201 ATLAS RD</i></b>	<b><i>SSW 1/8 - 1/4 (0.165 mi.)</i></b>	<b><i>A1</i></b>	<b><i>8</i></b>

## EXECUTIVE SUMMARY

### **State- and tribal - equivalent CERCLIS**

SHWS: State hazardous waste site records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. Available information varies by state.

A review of the SHWS list, as provided by EDR, and dated 01/06/2020 has revealed that there are 4 SHWS sites within approximately 1 mile of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<b>BOOZER LUMBER</b> EPA ID: SCS123457161	1400 ATLAS RD	ENE 1/2 - 1 (0.881 mi.)	6	12
<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<b>PHENIX SUPPLY COMPAN</b> EPA ID: SCDRY0057894	1200 1ST STREET SOUT	W 1/4 - 1/2 (0.388 mi.)	3	11
<b>FURON CO/HELICOFLEX</b> EPA ID: SCS123457316	2770 THE BLVD	W 1/2 - 1 (0.679 mi.)	5	11
<b>ANCHOR CONTINENTAL I</b> EPA ID: SCD003344843	2000 S BELTLINE BLVD	NW 1/2 - 1 (0.911 mi.)	7	18

### **State and tribal landfill and/or solid waste disposal site lists**

SWF/LF: The Solid Waste Facilities/Landfill Sites records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. The data come from the Department of Health & Environmental Control's Permitted Landfills List/Inactive MSWLF List.

A review of the SWF/LF list, as provided by EDR, and dated 12/10/2019 has revealed that there is 1 SWF/LF site within approximately 0.5 miles of the target property.

<u>Equal/Higher Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<b>CITY OF COLUMBIA</b> Status: Post-Closure Facility Id: 401002-1201/IWP-174		NW 1/4 - 1/2 (0.478 mi.)	4	11

### **State and tribal registered storage tank lists**

AST: The Aboveground Storage Tank database contains registered ASTs. The data come from the Department of Health & Environmental Control's list: Comprehensive Aboveground Storage Tanks.

A review of the AST list, as provided by EDR, and dated 03/25/2004 has revealed that there is 1 AST site within approximately 0.25 miles of the target property.

<u>Lower Elevation</u>	<u>Address</u>	<u>Direction / Distance</u>	<u>Map ID</u>	<u>Page</u>
<b>TAYLOR BROTHERS CONS</b>	2201 ATLAS ROAD	SSW 1/8 - 1/4 (0.165 mi.)	A2	10

# EXECUTIVE SUMMARY

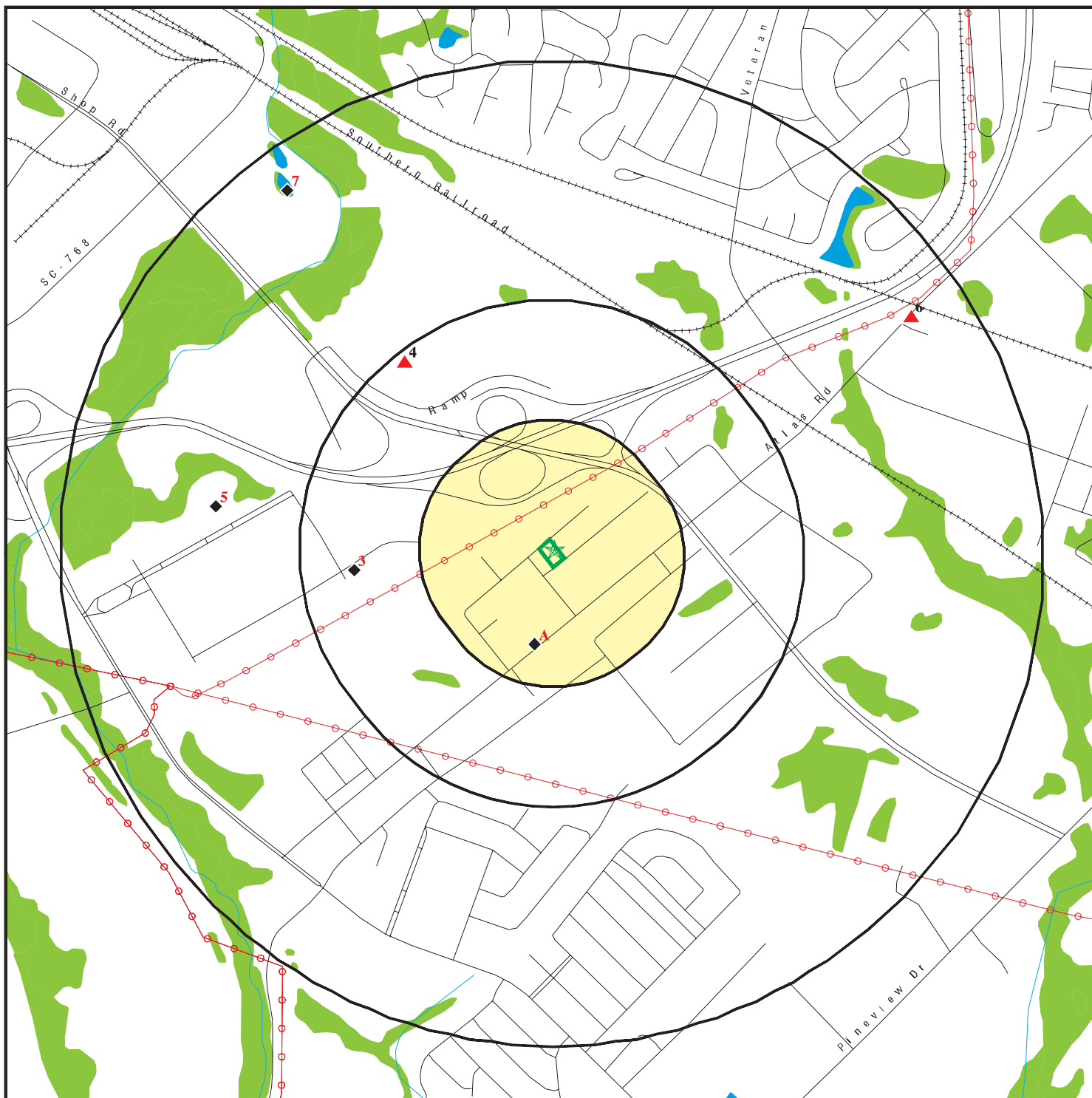
Facility Id: 979





## EXECUTIVE SUMMARY

There were no unmapped sites in this report.

# OVERVIEW MAP - 6020400.2S



-  Target Property
-  Sites at elevations higher than or equal to the target property
-  Sites at elevations lower than the target property
-  Manufactured Gas Plants
-  National Priority List Sites
-  Dept. Defense Sites
-  Indian Reservations BIA
-  Power transmission lines
-  Special Flood Hazard Area (1%)
-  0.2% Annual Chance Flood Hazard
-  National Wetland Inventory
-  State Wetlands










This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.







SITE NAME: 2045 Smith St  
 ADDRESS: 2045 Smith St  
 Columbia SC 29209  
 LAT/LONG: 33.947331 / 80.970188

CLIENT: SUMMIT Engineering, Laboratory & Testing, PC  
 CONTACT: M. Zavislak  
 INQUIRY #: 6020400.2s  
 DATE: March 24, 2020 10:10 am

# DETAIL MAP - 6020400.2S



-  Target Property
-  Sites at elevations higher than or equal to the target property
-  Sites at elevations lower than the target property
-  Manufactured Gas Plants
-  Sensitive Receptors
-  National Priority List Sites
-  Dept. Defense Sites

-  Indian Reservations BIA
-  Power transmission lines
-  Special Flood Hazard Area (1%)
-  0.2% Annual Chance Flood Hazard
-  National Wetland Inventory
-  State Wetlands



This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

SITE NAME: 2045 Smith St  
 ADDRESS: 2045 Smith St  
 Columbia SC 29209  
 LAT/LONG: 33.947331 / 80.970188

CLIENT: SUMMIT Engineering, Laboratory & Testing, PC  
 CONTACT: M. Zavislak  
 INQUIRY #: 6020400.2s  
 DATE: March 24, 2020 10:11 am

## MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
<b>STANDARD ENVIRONMENTAL RECORDS</b>								
<b><i>Federal NPL site list</i></b>								
NPL	1.000		0	0	0	0	NR	0
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	1.000		0	0	0	0	NR	0
<b><i>Federal Delisted NPL site list</i></b>								
Delisted NPL	1.000		0	0	0	0	NR	0
<b><i>Federal CERCLIS list</i></b>								
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
SEMS	0.500		0	0	0	NR	NR	0
<b><i>Federal CERCLIS NFRAP site list</i></b>								
SEMS-ARCHIVE	0.500		0	0	0	NR	NR	0
<b><i>Federal RCRA CORRACTS facilities list</i></b>								
CORRACTS	1.000		0	0	0	0	NR	0
<b><i>Federal RCRA non-CORRACTS TSD facilities list</i></b>								
RCRA-TSDF	0.500		0	0	0	NR	NR	0
<b><i>Federal RCRA generators list</i></b>								
RCRA-LQG	0.250		0	0	NR	NR	NR	0
RCRA-SQG	0.250		0	0	NR	NR	NR	0
RCRA-VSQG	0.250		0	1	NR	NR	NR	1
<b><i>Federal institutional controls / engineering controls registries</i></b>								
LUCIS	0.500		0	0	0	NR	NR	0
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROL	0.500		0	0	0	NR	NR	0
<b><i>Federal ERNS list</i></b>								
ERNS	0.001		0	NR	NR	NR	NR	0
<b><i>State- and tribal - equivalent CERCLIS</i></b>								
SHWS	1.000		0	0	1	3	NR	4
<b><i>State and tribal landfill and/or solid waste disposal site lists</i></b>								
SWF/LF	0.500		0	0	1	NR	NR	1
<b><i>State and tribal leaking storage tank lists</i></b>								
LUST	0.500		0	0	0	NR	NR	0
INDIAN LUST	0.500		0	0	0	NR	NR	0
<b><i>State and tribal registered storage tank lists</i></b>								
FEMA UST	0.250		0	0	NR	NR	NR	0

## MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
UST	0.250		0	0	NR	NR	NR	0
AST	0.250		0	1	NR	NR	NR	1
INDIAN UST	0.250		0	0	NR	NR	NR	0
<b><i>State and tribal institutional control / engineering control registries</i></b>								
RCR	0.500		0	0	0	NR	NR	0
AUL	0.500		0	0	0	NR	NR	0
<b><i>State and tribal voluntary cleanup sites</i></b>								
VCP	0.500		0	0	0	NR	NR	0
INDIAN VCP	0.500		0	0	0	NR	NR	0
<b><i>State and tribal Brownfields sites</i></b>								
BROWNFIELDS	0.500		0	0	0	NR	NR	0
<b><u>ADDITIONAL ENVIRONMENTAL RECORDS</u></b>								
<b><i>Local Brownfield lists</i></b>								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
<b><i>Local Lists of Landfill / Solid Waste Disposal Sites</i></b>								
SWRCY	0.500		0	0	0	NR	NR	0
INDIAN ODI	0.500		0	0	0	NR	NR	0
ODI	0.500		0	0	0	NR	NR	0
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
IHS OPEN DUMPS	0.500		0	0	0	NR	NR	0
<b><i>Local Lists of Hazardous waste / Contaminated Sites</i></b>								
US HIST CDL	0.001		0	NR	NR	NR	NR	0
ALLSITES	0.500		0	0	0	NR	NR	0
CDL	0.001		0	NR	NR	NR	NR	0
US CDL	0.001		0	NR	NR	NR	NR	0
<b><i>Local Land Records</i></b>								
LIENS 2	0.001		0	NR	NR	NR	NR	0
<b><i>Records of Emergency Release Reports</i></b>								
HMIRS	0.001		0	NR	NR	NR	NR	0
SPILLS	0.001		0	NR	NR	NR	NR	0
SPILLS 90	0.001		0	NR	NR	NR	NR	0
SPILLS 80	0.001		0	NR	NR	NR	NR	0
<b><i>Other Ascertainable Records</i></b>								
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0
FUDS	1.000		0	0	0	0	NR	0
DOD	1.000		0	0	0	0	NR	0
SCRD DRYCLEANERS	0.500		0	0	0	NR	NR	0

## MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
US FIN ASSUR	0.001		0	NR	NR	NR	NR	0
EPA WATCH LIST	0.001		0	NR	NR	NR	NR	0
2020 COR ACTION	0.250		0	0	NR	NR	NR	0
TSCA	0.001		0	NR	NR	NR	NR	0
TRIS	0.001		0	NR	NR	NR	NR	0
SSTS	0.001		0	NR	NR	NR	NR	0
ROD	1.000		0	0	0	0	NR	0
RMP	0.001		0	NR	NR	NR	NR	0
RAATS	0.001		0	NR	NR	NR	NR	0
PRP	0.001		0	NR	NR	NR	NR	0
PADS	0.001		0	NR	NR	NR	NR	0
ICIS	0.001		0	NR	NR	NR	NR	0
FTTS	0.001		0	NR	NR	NR	NR	0
MLTS	0.001		0	NR	NR	NR	NR	0
COAL ASH DOE	0.001		0	NR	NR	NR	NR	0
COAL ASH EPA	0.500		0	0	0	NR	NR	0
PCB TRANSFORMER	0.001		0	NR	NR	NR	NR	0
RADINFO	0.001		0	NR	NR	NR	NR	0
HIST FTTS	0.001		0	NR	NR	NR	NR	0
DOT OPS	0.001		0	NR	NR	NR	NR	0
CONSENT	1.000		0	0	0	0	NR	0
INDIAN RESERV	1.000		0	0	0	0	NR	0
FUSRAP	1.000		0	0	0	0	NR	0
UMTRA	0.500		0	0	0	NR	NR	0
LEAD SMELTERS	0.001		0	NR	NR	NR	NR	0
US AIRS	0.001		0	NR	NR	NR	NR	0
US MINES	0.250		0	0	NR	NR	NR	0
ABANDONED MINES	0.250		0	0	NR	NR	NR	0
FINDS	0.001		0	NR	NR	NR	NR	0
ECHO	0.001		0	NR	NR	NR	NR	0
UXO	1.000		0	0	0	0	NR	0
DOCKET HWC	0.001		0	NR	NR	NR	NR	0
FUELS PROGRAM	0.250		0	0	NR	NR	NR	0
AIRS	0.001		0	NR	NR	NR	NR	0
ASBESTOS	0.001		0	NR	NR	NR	NR	0
COAL ASH	0.500		0	0	0	NR	NR	0
DRYCLEANERS	0.250		0	0	NR	NR	NR	0
Financial Assurance	0.001		0	NR	NR	NR	NR	0
GWCI	0.500		0	0	0	NR	NR	0
NPDES	0.001		0	NR	NR	NR	NR	0
UIC	0.001		0	NR	NR	NR	NR	0
MINES MRDS	0.001		0	NR	NR	NR	NR	0
MANIFEST	0.250		0	0	NR	NR	NR	0

### EDR HIGH RISK HISTORICAL RECORDS

#### ***EDR Exclusive Records***

EDR MGP	1.000		0	0	0	0	NR	0
EDR Hist Auto	0.125		0	NR	NR	NR	NR	0
EDR Hist Cleaner	0.125		0	NR	NR	NR	NR	0

## MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
<b><u>EDR RECOVERED GOVERNMENT ARCHIVES</u></b>								
<b><i>Exclusive Recovered Govt. Archives</i></b>								
RGA HWS	0.001		0	NR	NR	NR	NR	0
RGA LF	0.001		0	NR	NR	NR	NR	0
RGA LUST	0.001		0	NR	NR	NR	NR	0
- Totals --		0	0	2	2	3	0	7

**NOTES:**

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

A1  
SSW  
1/8-1/4  
0.165 mi.  
873 ft.

**GIBSON & QUATTLEBAUMS TRUCK REPAIR**  
**2201 ATLAS RD**  
**COLUMBIA, SC 29209**

**RCRA-VSQQ** 1001483231  
**FINDS** SCR000073874  
**ECHO**

Site 1 of 2 in cluster A

Relative:  
Lower

RCRA-VSQQ:

Actual:  
154 ft.

Date form received by agency: 2009-01-20 00:00:00.0  
Facility name: GIBSON & QUATTLEBAUMS TRUCK REPAIR  
Facility address: 2201 ATLAS RD  
COLUMBIA, SC 29209  
EPA ID: SCR000073874  
Mailing address: ATLAS RD  
COLUMBIA, SC 29209  
Contact: HORACE QUATTLEBAUM  
Contact address: ATLAS RD  
COLUMBIA, SC 29209  
Contact country: US  
Contact telephone: 803-776-6385  
Contact email: Not reported  
EPA Region: 04  
Classification: Conditionally Exempt Small Quantity Generator  
Description: Handler: generates 100 kg or less of hazardous waste per calendar month, and accumulates 1000 kg or less of hazardous waste at any time; or generates 1 kg or less of acutely hazardous waste per calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste; or generates 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste during any calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste

Owner/Operator Summary:

Owner/operator name: CARL GIBSON & HORACE QUATTLEBAUM  
Owner/operator address: 2201 ATLAS RD  
COLUMBIA, SC 29209  
Owner/operator country: Not reported  
Owner/operator telephone: 803-776-6385  
Owner/operator email: Not reported  
Owner/operator fax: Not reported  
Owner/operator extension: Not reported  
Legal status: Private  
Owner/Operator Type: Owner  
Owner/Op start date: Not reported  
Owner/Op end date: Not reported

Owner/operator name: CARL GIBSON & HORACE QUATTLEBAUM  
Owner/operator address: ATLAS RD  
COLUMBIA, SC 29209  
Owner/operator country: US  
Owner/operator telephone: 803-776-6385  
Owner/operator email: Not reported  
Owner/operator fax: Not reported  
Owner/operator extension: Not reported



Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**GIBSON & QUATTLEBAUMS TRUCK REPAIR (Continued)**

**1001483231**

Legal status: Private  
Owner/Operator Type: Operator  
Owner/Op start date: 2009-01-20 00:00:00.  
Owner/Op end date: Not reported

Handler Activities Summary:

U.S. importer of hazardous waste: No  
Mixed waste (haz. and radioactive): No  
Recycler of hazardous waste: No  
Transporter of hazardous waste: No  
Treater, storer or disposer of HW: No  
Underground injection activity: No  
On-site burner exemption: No  
Furnace exemption: No  
Used oil fuel burner: No  
Used oil processor: No  
User oil refiner: No  
Used oil fuel marketer to burner: No  
Used oil Specification marketer: No  
Used oil transfer facility: No  
Used oil transporter: No

Historical Generators:

Date form received by agency: 1999-03-11 00:00:00.0  
Site name: GIBSON & QUATTLEBAUMS TRUCK REPAIR  
Classification: Small Quantity Generator

Violation Status: No violations found

FINDS:

Registry ID: 110002184877  
Facility URL: [http://ofmpub.epa.gov/enviro/fii\\_query\\_detail.disp\\_program\\_facility?p\\_registry\\_id=110002184877](http://ofmpub.epa.gov/enviro/fii_query_detail.disp_program_facility?p_registry_id=110002184877)

Environmental Interest/Information System:

SC-EFIS (South Carolina - Environmental Facility Information System) integrates information on environmental facilities, permits, violations, enforcement actions, and compliance activities needed to support regulatory requirements and target environmental quality improvements for the water, air, solid waste, and hazardous waste program areas. The EFIS was developed by the state of South Carolina and Maine joined their system in 2004.  
RCRAInfo is a national information system that supports the Resource Conservation and Recovery Act (RCRA) program through the tracking of events and activities related to facilities that generate, transport, and treat, store, or dispose of hazardous waste. RCRAInfo allows RCRA program staff to track the notification, permit, compliance, and corrective action activities required under RCRA.

[Click this hyperlink](#) while viewing on your computer to access additional FINDS: detail in the EDR Site Report.

ECHO:

Envid: 1001483231  
Registry ID: 110002184877  
DFR URL: <http://echo.epa.gov/detailed-facility-report?fid=110002184877>  
Name: GIBSON & QUATTLEBAUMS TRUCK REPAIR  
Address: 2201 ATLAS RD

Map ID  
 Direction  
 Distance  
 Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
 EPA ID Number

**GIBSON & QUATTLEBAUMS TRUCK REPAIR (Continued)**

**1001483231**

City,State,Zip: COLUMBIA, SC 29209

**A2**  
**SSW**  
**1/8-1/4**  
**0.165 mi.**  
**873 ft.**

**TAYLOR BROTHERS CONSTRUCTION CO**  
**2201 ATLAS ROAD**  
**COLUMBIA, SC 29209**

**AST A100267584**  
**N/A**

**Site 2 of 2 in cluster A**

**Relative:**  
**Lower**  
**Actual:**  
**154 ft.**

AST:  
 Facility ID: 979  
 District: Central Midlands  
 Mailing Addr: Not reported  
 Mailing City,St,Zip: Columbia, SC 29209-  
 Facility Manager: Robert L. Taylor  
 Manager Phone: 8037381451  
 Facility office location: 2201 Atlas Road  
 Facility phone number: 8037765113  
 Facility manager Ext: Not reported  
 Tank A-How many of size < 250 glns: 0  
 Tank B-How many of size 250-1000 glns: 0  
 Tank C-How many of size 1001-2000 glns: 0  
 Tank D-How many of size 2001-10000 glns: 2  
 Tank E-How many of size 10001-42000 glns: 0  
 Tank F-How many of size 42001-250000 glns: 0  
 Tank G-How many of size 250001-1000000 glns: 0  
 Tank H-How many of size 1000001-4000000 glns: 0  
 Tank I-How many of size >4000000 glns: 0  
 Total site capacity 661-2,000 glns: False  
 Total site capacity 2001-10,000 glns: False  
 Total site capacity 10,001-42,000 glns: True  
 Total site capacity 42,001-100,000 glns: False  
 Total site capacity 100,001-250,000 glns: False  
 Total site capacity 250,001-1,000,000 glns: False  
 Total site capacity 1,000,001-5,000,000 glns: False  
 Total site capacity 5,000,001-10,000,000 glns: False  
 Total site capacity >10,000,000 glns: False  
 Actual storage amount in gallons: 20000.00000  
 NAICS code: 8.00000  
 Is this a registered terminal facility?: False  
 If not, does it need to be registered?: False  
 Earthen containment: False  
 Asphalt containment: False  
 Liner: False  
 Concrete floor and walls: True  
 Concrete walls, earth floor: False  
 Block walls, concrete floor: False  
 Block walls, earthen floor: False  
 Double wall tank: False  
 Does containment need repair?: False  
 GPS unit make/model: Trimble XRS  
 GPS mode uncorrected, Radio beacon, Satellite corrected: Sat - DGPS  
 Lat/Long: 33 56 40.37 -80 58 15.37  
 Date data was collected: 06/30/00  
 Comments: Not reported

MAP FINDINGS

Map ID  
Direction  
Distance  
Elevation

Site

Database(s)

EDR ID Number  
EPA ID Number

**3**  
West  
1/4-1/2  
0.388 mi.  
2047 ft.

**PHENIX SUPPLY COMPANY**  
**1200 1ST STREET SOUTH EXT**  
**COLUMBIA, SC 29209**

**SHWS S117725592**  
**DRYCLEANERS N/A**

**Relative:**  
**Lower**  
**Actual:**  
**158 ft.**

**SHWS:**  
Name: PHENIX SUPPLY COMPANY  
Address: 1200 1ST STREET SOUTH EXT  
City,State,Zip: COLUMBIA, SC 29209  
EPA ID: SCDRY0057894

**Drycleaners:**  
BLWM Number: 57894  
Rank: II  
Priority Group Explanation: II

**4**  
NW  
1/4-1/2  
0.478 mi.  
2526 ft.

**CITY OF COLUMBIA**  
**RICHLAND (County), SC**

**SWF/LF S116232012**  
**N/A**

**Relative:**  
**Higher**  
**Actual:**  
**169 ft.**

**LF:**  
Name: CITY OF COLUMBIA  
Address: Not reported  
City,State,Zip: SC  
Mailing Address: 2910 Colonial Drive  
Mailing State: SC  
Mailing City: Columbia  
Mailing Zip: 29203  
Facility ID: 401002-1201/IWP-174  
Rate Restriction: 22,000  
Rate Units: Not reported  
Cap Units: Not reported  
Online Data: Class 2 Landfill  
GW Mod Req: N  
EQC Region: Midlands  
EQC Region Office: Columbia  
Total Capacity: Not reported  
Status: Post-Closure  
Class: Government  
UTM-E: 502251.52000000002  
UTM-N: 3756952.52  
Contact Name: Robert Anderson  
Contact Phone: (803) 733-8456

**5**  
West  
1/2-1  
0.679 mi.  
3587 ft.

**FURON CO/HELICOFLEX COMPONENTS**  
**2770 THE BLVD**  
**COLUMBIA, SC 29209**

**SHWS S116230727**  
**NPDES N/A**

**Relative:**  
**Lower**  
**Actual:**  
**129 ft.**

**SHWS:**  
Name: HELICOFLEX  
Address: 2770 THE BLVD  
City,State,Zip: COLUMBIA, SC 29209  
EPA ID: SCS123457316

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**FURON CO/HELICOFLEX COMPONENTS (Continued)**

**S116230727**

**NPDES:**

Name: FURON CO/HELICOFLEX COMPONENTS  
Address: 2770 THE BLVD  
City,State,Zip: COLUMBIA, SC 29209  
Permit: SC0046418  
Permit Status Date: 1999-09-24  
Act/Inactive: INACT  
App Type: NPDES NEW  
App Status Date: 12/22/1994  
Permit Contact: HOUESHELL MONTY A  
Permit Issued Date: 12/22/1994  
Permit Expire Date: 01/31/2000  
Permit Type: WTRNPDESWWTP  
Permit Sub Type: INDUSTRIAL  
Permit Status: CLOSED  
Receiving Stream: UNNAMED TRIB TO GILLS CREEK  
Address Type: SITE  
Owner Address Type: BUSINESS  
Owner Telephone: 714-831-5350

**6**  
**ENE**  
**1/2-1**  
**0.881 mi.**  
**4653 ft.**

**Relative:**  
**Higher**

**Actual:**  
**171 ft.**

**BOOZER LUMBER**  
**1400 ATLAS RD**  
**COLUMBIA, SC 29290**

**SHWS** **U003620860**  
**AUL** **N/A**  
**VCP**  
**BROWNFIELDS**  
**ALLSITES**  
**GWCI**  
**UIC**

**SHWS:**

Name: BOOZER LUMBER COMPANY INC  
Address: 1400 ATLAS RD  
City,State,Zip: COLUMBIA, SC 29290-1679  
EPA ID: SCS123457161

Name: BOOZER LUMBER COMPANY INC  
Address: 1400 ATLAS RD  
Address 2: Not reported  
City,State,Zip: COLUMBIA, SC 29290-1679

**COLUMBIA, SC 29290-1679:**

Owner: 1400 ATLAS PROPERTIES LLC;RUSTY SHOES ATLAS LLC;HENGSHI USA WIND POWER MATERIALS CORP  
Latitude / Longitude: 33.95296 / -80.95596  
Project Status: COMP  
Execute Date: 08/26/2009  
Restriction File Date: 05/16/2011  
Cleanup Contract Complete Date: 05/24/2011  
Project Complete Date: 05/24/2011  
File Number: 57666  
Land Use Restriction: NO RESIDENTIAL; NO GROUNDWATER USE; ENGINEERED EXPOSURE BARRIERS TO BE MAINTAINED;NO RESIDENTIAL; NO GROUNDWATER USE; ENGINEERED BARRIERS;NO RES; NO GW USE; ENGINEERING CONTROLS  
Contamination on Site: Petroleum  
Brownfield Type: Not reported  
Fund 128(A) Utilized: No  
Respond Action Planned: No  
Acreage: 27.28

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**BOOZER LUMBER (Continued)**

**U003620860**

VCP:

Name: BOOZER LUMBER COMPANY INC  
Address: 1400 ATLAS RD  
City,State,Zip: COLUMBIA, SC 29290-1679  
Person Company: RUSTY SHOES ATLAS LLC  
Prim Address 1: 1227 ROSEWOOD DR  
Prim Address 2: Not reported  
Prim City: COLUMBIA  
Prim State: SC  
Prim Zip: 29201-4703  
Type Brownfield: Not reported  
Contact: JOHN BOYD  
Status code: COMP  
File Number: 57666  
Exec Date: 26-Aug-09  
Contract Mailed Date: Not reported  
Date Terminated: Not reported  
Contract #: 09-5808-NRP  
Contract Type: NRP  
Contract Manager: OVERCASH JO CHERIE C  
Acreage: 3.01  
COC Issued Date: 24-May-11  
RC Executed Date: Not reported  
I C Received: Not reported  
Workplan Due: Not reported  
Workplan Receive: Not reported  
Workplan Reviewed: Not reported  
Workplan Approved: Not reported  
Report Receive: Not reported  
Report Reviewed: Not reported  
Report Approved: Not reported  
Cap Approved: Not reported

Name: BOOZER LUMBER COMPANY INC  
Address: 1400 ATLAS RD  
City,State,Zip: COLUMBIA, SC 29290-1679  
Person Company: 1400 ATLAS PROPERTIES LLC  
Prim Address 1: 1111 LAUREL ST  
Prim Address 2: Not reported  
Prim City: COLUMBIA  
Prim State: SC  
Prim Zip: 29201-2801  
Type Brownfield: Not reported  
Contact: JOHN BOYD  
Status code: COMP  
File Number: 57666  
Exec Date: 26-Aug-09  
Contract Mailed Date: 26-Jun-09  
Date Terminated: Not reported  
Contract #: 09-5808-NRP  
Contract Type: NRP  
Contract Manager: OVERCASH JO CHERIE C  
Acreage: 27.28  
COC Issued Date: 24-May-11  
RC Executed Date: 11-May-11  
I C Received: 3-Apr-09  
Workplan Due: 12-Oct-09

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**BOOZER LUMBER (Continued)**

**U003620860**

Workplan Receive: 16-Oct-09  
Workplan Reviewed: 2-Dec-09  
Workplan Approved: 14-Jun-10  
Report Receive: 9-Nov-10  
Report Reviewed: 20-Dec-10  
Report Approved: Not reported  
Cap Approved: Not reported

Name: BOOZER LUMBER COMPANY INC  
Address: 1400 ATLAS RD  
City,State,Zip: COLUMBIA, SC 29290-1679  
Person Company: HENGSHI USA WIND POWER MATERIALS CORP  
Prim Address 1: 15759 TAPIA ST  
Prim Address 2: Not reported  
Prim City: IRWINDALE  
Prim State: CA  
Prim Zip: 91706  
Type Brownfield: Not reported  
Contact: JOHN BOYD  
Status code: COMP  
File Number: 57666  
Exec Date: 26-Aug-09  
Contract Mailed Date: Not reported  
Date Terminated: Not reported  
Contract #: 09-5808-NRP  
Contract Type: NRP  
Contract Manager: OVERCASH JO CHERIE C  
Acreage: 7.12  
COC Issued Date: 24-May-11  
RC Executed Date: 11-May-11  
I C Received: 28-Mar-17  
Workplan Due: Not reported  
Workplan Receive: Not reported  
Workplan Reviewed: Not reported  
Workplan Approved: Not reported  
Report Receive: Not reported  
Report Reviewed: Not reported  
Report Approved: Not reported  
Cap Approved: Not reported

**SC BROWNFIELD:**

Name: BOOZER LUMBER COMPANY INC  
Address: 1400 ATLAS RD  
City,State,Zip: COLUMBIA, SC 29290-1679  
Contract Number: 09-5808-NRP  
Contract Type: NRP  
File Number: 57666  
Contract Manager: OVERCASH JO CHERIE C  
Person Company: RUSTY SHOES ATLAS LLC  
Primary Address1: 1227 ROSEWOOD DR  
Primary Address2: Not reported  
Primary City: COLUMBIA  
Primary State Code: SC  
Primary Zip Code: 29201-4703  
Type Brownfield: Not reported  
Acreage: 3.01  
Contract Executed: 26-Aug-09

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**BOOZER LUMBER (Continued)**

**U003620860**

COC Date Issued: 24-May-11  
RC Executed: Not reported  
Contact: JOHN BOYD  
Status Code: COMP  
IC Received: Not reported  
Workplan Due: Not reported  
Workplan Received: Not reported  
Workplan Reviewed: Not reported  
Workplan Approved: Not reported  
Report Received: Not reported  
Report Reviewed: Not reported  
Report Approved: Not reported  
Cap Approved: Not reported  
Contract Mailed: Not reported  
Date Terminated: Not reported

Name: BOOZER LUMBER COMPANY INC  
Address: 1400 ATLAS RD  
City,State,Zip: COLUMBIA, SC 29290-1679  
Contract Number: 09-5808-NRP  
Contract Type: NRP  
File Number: 57666  
Contract Manager: OVERCASH JO CHERIE C  
Person Company: 1400 ATLAS PROPERTIES LLC  
Primary Address1: 1111 LAUREL ST  
Primary Address2: Not reported  
Primary City: COLUMBIA  
Primary State Code: SC  
Primary Zip Code: 29201-2801  
Type Brownfield: Not reported  
Acreage: 27.28  
Contract Executed: 26-Aug-09  
COC Date Issued: 24-May-11  
RC Executed: 11-May-11  
Contact: JOHN BOYD  
Status Code: COMP  
IC Received: 3-Apr-09  
Workplan Due: 12-Oct-09  
Workplan Received: 16-Oct-09  
Workplan Reviewed: 2-Dec-09  
Workplan Approved: 14-Jun-10  
Report Received: 9-Nov-10  
Report Reviewed: 20-Dec-10  
Report Approved: Not reported  
Cap Approved: Not reported  
Contract Mailed: 26-Jun-09  
Date Terminated: Not reported

Name: BOOZER LUMBER COMPANY INC  
Address: 1400 ATLAS RD  
City,State,Zip: COLUMBIA, SC 29290-1679  
Contract Number: 09-5808-NRP  
Contract Type: NRP  
File Number: 57666  
Contract Manager: OVERCASH JO CHERIE C  
Person Company: HENGSHI USA WIND POWER MATERIALS CORP  
Primary Address1: 15759 TAPIA ST

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**BOOZER LUMBER (Continued)**

**U003620860**

Primary Address2: Not reported  
Primary City: IRWINDALE  
Primary State Code: CA  
Primary Zip Code: 91706  
Type Brownfield: Not reported  
Acreage: 7.12  
Contract Executed: 26-Aug-09  
COC Date Issued: 24-May-11  
RC Executed: 11-May-11  
Contact: JOHN BOYD  
Status Code: COMP  
IC Received: 28-Mar-17  
Workplan Due: Not reported  
Workplan Received: Not reported  
Workplan Reviewed: Not reported  
Workplan Approved: Not reported  
Report Received: Not reported  
Report Reviewed: Not reported  
Report Approved: Not reported  
Cap Approved: Not reported  
Contract Mailed: Not reported  
Date Terminated: Not reported

**ALLSITES:**

Name: BOOZER LUMBER COMPANY INC  
Address: 1400 ATLAS RD  
City,State,Zip: COLUMBIA, SC 29290-1679  
Brownfield: Not reported  
Brownfield Type: Not reported  
Funds Used: No  
Resp Action: No  
Permit Number: Not reported  
Program: Not reported  
Owner: 1400 ATLAS PROPERTIES LLC;RUSTY SHOES ATLAS LLC;HENGSHI USA WIND POWER MATERIALS CORP  
Project Status Code: COMP  
Execute Date: 08/26/2009  
Restrictions Filed Date: 5/16/2011  
Cleanup Contract Complete Date: 05/24/2011  
Project Complete Date: 5/24/2011  
File Number: 57666  
Land Use Restriction: NO RESIDENTIAL; NO GROUNDWATER USE; ENGINEERED EXPOSURE BARRIERS TO BE MAINTAINED;NO RESIDENTIAL; NO GROUNDWATER USE; ENGINEERED BARRIERS;NO RES; NO GW USE; ENGINEERING CONTROLS  
Contamination On Site: Petroleum  
Acreage: 27.28  
Soil Contamination Desc: Not reported  
Soil COCS: Not reported  
SW Sed Contamination Desc: Not reported  
SW COCS: Not reported  
GW Contamination Desc: Not reported  
GW COCS: Not reported  
Air Contamination Desc: Not reported  
Air COCS: Not reported  
Lat: 33.95296  
Long: -80.95596



Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**BOOZER LUMBER (Continued)**

**U003620860**

SC GWIC:

Bureau:	BLWM
EAP ID:	Not reported
Solid Waste Permit #:	Not reported
Bureau of Land & Waste Management File #:	Not reported
Permit Number:	13897
WPC Permit:	Not reported
Program:	DUST
Contamination:	PETRO
Petroleum Products:	True
Volatile Organic Compounds:	False
Metals:	False
Nitrates or Potential to Nitrate:	False
Pesticides & Herbicides:	False
Polychlorinated Biphenyls:	False
Base, Neutral, & Acid Extractables:	False
Phenols:	False
Radionuclides Over Max Contaminant Levels:	False
Sources Not In Other Categories:	False
Source:	UST
Underground Storage Tanks:	True
Pits, Ponds, & Lagoons:	False
Spills & Leaks:	False
Landfills:	False
Aboveground Storage Tank:	False
Spray Irrigation:	False
Single-Event Spill:	False
Unpermitted Disposal:	False
Septic Tank/Tile Field:	False
Substances Not In Other Categories:	False
Sources of Contamination Undetermined:	False
Assessment:	No
Monitoring:	No
Remediation:	Yes
Surface Impact:	No
Drinking Water Well Impact:	No
Remarks:	Site ID # 13897. RBCA Classification 2BA4. Active corrective action.

UIC:

Name:	BOOZER LUMBER COMPANY
Address:	1400 ATLAS RD
City,State,Zip:	COLUMBIA, SC 29209
Permit Number:	SCHE03020212
Permit Holder:	ATLAS PROPERTIES INC
Former Permit Number:	Not reported
Activity:	Active/Operating
Disposition:	Approved

MAP FINDINGS

Map ID  
Direction  
Distance  
Elevation

Site

Database(s)

EDR ID Number  
EPA ID Number

7  
NW  
1/2-1  
0.911 mi.  
4808 ft.

**ANCHOR CONTINENTAL INC/INTERTAPE POLYMER GROUP**  
**2000 S BELTLINE BLVD- PO BOX G**  
**COLUMBIA, SC 29250**

**SHWS S120857703**  
**N/A**

**Relative:**  
**Lower**  
**Actual:**  
**129 ft.**

SHWS:

Name: ANCHOR CONTINENTAL INC/INTERTAPE POLYMER GROUP  
Address: 2000 S BELTLINE BLVD- PO BOX G  
City,State,Zip: COLUMBIA, SC 29250  
EPA ID: SCD003344843

Count: 0 records.

ORPHAN SUMMARY

<u>City</u>	<u>EDR ID</u>	<u>Site Name</u>	<u>Site Address</u>	<u>Zip</u>	<u>Database(s)</u>
NO SITES FOUND					

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

**Number of Days to Update:** Provides confirmation that EDR is reporting records that have been updated within 90 days from the date the government agency made the information available to the public.

## **STANDARD ENVIRONMENTAL RECORDS**

### ***Federal NPL site list***

#### **NPL: National Priority List**

National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, EDR provides polygon coverage for over 1,000 NPL site boundaries produced by EPA's Environmental Photographic Interpretation Center (EPIC) and regional EPA offices.

Date of Government Version: 01/30/2020	Source: EPA
Date Data Arrived at EDR: 02/05/2020	Telephone: N/A
Date Made Active in Reports: 02/14/2020	Last EDR Contact: 03/04/2020
Number of Days to Update: 9	Next Scheduled EDR Contact: 04/13/2020
	Data Release Frequency: Quarterly

#### **NPL Site Boundaries**

##### **Sources:**

EPA's Environmental Photographic Interpretation Center (EPIC)  
Telephone: 202-564-7333

EPA Region 1  
Telephone 617-918-1143

EPA Region 6  
Telephone: 214-655-6659

EPA Region 3  
Telephone 215-814-5418

EPA Region 7  
Telephone: 913-551-7247

EPA Region 4  
Telephone 404-562-8033

EPA Region 8  
Telephone: 303-312-6774

EPA Region 5  
Telephone 312-886-6686

EPA Region 9  
Telephone: 415-947-4246

EPA Region 10  
Telephone 206-553-8665

#### **Proposed NPL: Proposed National Priority List Sites**

A site that has been proposed for listing on the National Priorities List through the issuance of a proposed rule in the Federal Register. EPA then accepts public comments on the site, responds to the comments, and places on the NPL those sites that continue to meet the requirements for listing.

Date of Government Version: 01/30/2020	Source: EPA
Date Data Arrived at EDR: 02/05/2020	Telephone: N/A
Date Made Active in Reports: 02/14/2020	Last EDR Contact: 03/04/2020
Number of Days to Update: 9	Next Scheduled EDR Contact: 04/13/2020
	Data Release Frequency: Quarterly

#### **NPL LIENS: Federal Superfund Liens**

Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 10/15/1991  
Date Data Arrived at EDR: 02/02/1994  
Date Made Active in Reports: 03/30/1994  
Number of Days to Update: 56

Source: EPA  
Telephone: 202-564-4267  
Last EDR Contact: 08/15/2011  
Next Scheduled EDR Contact: 11/28/2011  
Data Release Frequency: No Update Planned

## ***Federal Delisted NPL site list***

Delisted NPL: National Priority List Deletions

The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

Date of Government Version: 01/30/2020  
Date Data Arrived at EDR: 02/05/2020  
Date Made Active in Reports: 02/14/2020  
Number of Days to Update: 9

Source: EPA  
Telephone: N/A  
Last EDR Contact: 03/04/2020  
Next Scheduled EDR Contact: 04/13/2020  
Data Release Frequency: Quarterly

## ***Federal CERCLIS list***

FEDERAL FACILITY: Federal Facility Site Information listing

A listing of National Priority List (NPL) and Base Realignment and Closure (BRAC) sites found in the Comprehensive Environmental Response, Compensation and Liability Information System (CERCLIS) Database where EPA Federal Facilities Restoration and Reuse Office is involved in cleanup activities.

Date of Government Version: 04/03/2019  
Date Data Arrived at EDR: 04/05/2019  
Date Made Active in Reports: 05/14/2019  
Number of Days to Update: 39

Source: Environmental Protection Agency  
Telephone: 703-603-8704  
Last EDR Contact: 01/03/2020  
Next Scheduled EDR Contact: 04/13/2020  
Data Release Frequency: Varies

SEMS: Superfund Enterprise Management System

SEMS (Superfund Enterprise Management System) tracks hazardous waste sites, potentially hazardous waste sites, and remedial activities performed in support of EPA's Superfund Program across the United States. The list was formerly know as CERCLIS, renamed to SEMS by the EPA in 2015. The list contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). This dataset also contains sites which are either proposed to or on the National Priorities List (NPL) and the sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 01/30/2020  
Date Data Arrived at EDR: 02/05/2020  
Date Made Active in Reports: 02/14/2020  
Number of Days to Update: 9

Source: EPA  
Telephone: 800-424-9346  
Last EDR Contact: 02/05/2020  
Next Scheduled EDR Contact: 04/27/2020  
Data Release Frequency: Quarterly

## ***Federal CERCLIS NFRAP site list***

SEMS-ARCHIVE: Superfund Enterprise Management System Archive

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

SEMS-ARCHIVE (Superfund Enterprise Management System Archive) tracks sites that have no further interest under the Federal Superfund Program based on available information. The list was formerly known as the CERCLIS-NFRAP, renamed to SEMS ARCHIVE by the EPA in 2015. EPA may perform a minimal level of assessment work at a site while it is archived if site conditions change and/or new information becomes available. Archived sites have been removed and archived from the inventory of SEMS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list the site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. The decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be potential NPL site.

Date of Government Version: 01/30/2020	Source: EPA
Date Data Arrived at EDR: 02/05/2020	Telephone: 800-424-9346
Date Made Active in Reports: 02/14/2020	Last EDR Contact: 03/04/2020
Number of Days to Update: 9	Next Scheduled EDR Contact: 04/27/2020
	Data Release Frequency: Quarterly

## ***Federal RCRA CORRACTS facilities list***

CORRACTS: Corrective Action Report

CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 12/16/2019	Source: EPA
Date Data Arrived at EDR: 12/16/2019	Telephone: 800-424-9346
Date Made Active in Reports: 12/20/2019	Last EDR Contact: 02/27/2020
Number of Days to Update: 4	Next Scheduled EDR Contact: 04/06/2020
	Data Release Frequency: Quarterly

## ***Federal RCRA non-CORRACTS TSD facilities list***

RCRA-TSDF: RCRA - Treatment, Storage and Disposal

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Transporters are individuals or entities that move hazardous waste from the generator offsite to a facility that can recycle, treat, store, or dispose of the waste. TSDFs treat, store, or dispose of the waste.

Date of Government Version: 12/16/2019	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/16/2019	Telephone: (404) 562-8651
Date Made Active in Reports: 12/20/2019	Last EDR Contact: 02/27/2020
Number of Days to Update: 4	Next Scheduled EDR Contact: 04/06/2020
	Data Release Frequency: Quarterly

## ***Federal RCRA generators list***

RCRA-LQG: RCRA - Large Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Large quantity generators (LQGs) generate over 1,000 kilograms (kg) of hazardous waste, or over 1 kg of acutely hazardous waste per month.

Date of Government Version: 12/16/2019	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/16/2019	Telephone: (404) 562-8651
Date Made Active in Reports: 12/20/2019	Last EDR Contact: 02/27/2020
Number of Days to Update: 4	Next Scheduled EDR Contact: 04/06/2020
	Data Release Frequency: Quarterly

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

### RCRA-SQG: RCRA - Small Quantity Generators

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Small quantity generators (SQGs) generate between 100 kg and 1,000 kg of hazardous waste per month.

Date of Government Version: 12/16/2019	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/16/2019	Telephone: (404) 562-8651
Date Made Active in Reports: 12/20/2019	Last EDR Contact: 02/27/2020
Number of Days to Update: 4	Next Scheduled EDR Contact: 04/06/2020
	Data Release Frequency: Quarterly

### RCRA-VSQG: RCRA - Very Small Quantity Generators (Formerly Conditionally Exempt Small Quantity Generators)

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Very small quantity generators (VSQGs) generate less than 100 kg of hazardous waste, or less than 1 kg of acutely hazardous waste per month.

Date of Government Version: 12/16/2019	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/16/2019	Telephone: (404) 562-8651
Date Made Active in Reports: 12/20/2019	Last EDR Contact: 02/27/2020
Number of Days to Update: 4	Next Scheduled EDR Contact: 04/06/2020
	Data Release Frequency: Quarterly

### ***Federal institutional controls / engineering controls registries***

#### LUCIS: Land Use Control Information System

LUCIS contains records of land use control information pertaining to the former Navy Base Realignment and Closure properties.

Date of Government Version: 11/04/2019	Source: Department of the Navy
Date Data Arrived at EDR: 11/13/2019	Telephone: 843-820-7326
Date Made Active in Reports: 01/28/2020	Last EDR Contact: 02/10/2020
Number of Days to Update: 76	Next Scheduled EDR Contact: 05/25/2020
	Data Release Frequency: Varies

#### US ENG CONTROLS: Engineering Controls Sites List

A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.

Date of Government Version: 11/22/2019	Source: Environmental Protection Agency
Date Data Arrived at EDR: 11/22/2019	Telephone: 703-603-0695
Date Made Active in Reports: 01/28/2020	Last EDR Contact: 02/20/2020
Number of Days to Update: 67	Next Scheduled EDR Contact: 06/08/2020
	Data Release Frequency: Varies

#### US INST CONTROL: Sites with Institutional Controls

A listing of sites with institutional controls in place. Institutional controls include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls.

Date of Government Version: 11/22/2019	Source: Environmental Protection Agency
Date Data Arrived at EDR: 11/22/2019	Telephone: 703-603-0695
Date Made Active in Reports: 01/28/2020	Last EDR Contact: 02/20/2020
Number of Days to Update: 67	Next Scheduled EDR Contact: 06/08/2020
	Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## ***Federal ERNS list***

### **ERNS: Emergency Response Notification System**

Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 12/16/2019  
Date Data Arrived at EDR: 12/19/2019  
Date Made Active in Reports: 03/06/2020  
Number of Days to Update: 78

Source: National Response Center, United States Coast Guard  
Telephone: 202-267-2180  
Last EDR Contact: 12/19/2019  
Next Scheduled EDR Contact: 04/06/2020  
Data Release Frequency: Quarterly

## ***State- and tribal - equivalent CERCLIS***

### **SHWS: Site Assessment Section Project List**

State Hazardous Waste Sites. State hazardous waste site records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. Available information varies by state.

Date of Government Version: 01/06/2020  
Date Data Arrived at EDR: 01/09/2020  
Date Made Active in Reports: 03/16/2020  
Number of Days to Update: 67

Source: Department of Health and Environmental Control  
Telephone: 803-898-0835  
Last EDR Contact: 03/09/2020  
Next Scheduled EDR Contact: 06/22/2020  
Data Release Frequency: Semi-Annually

## ***State and tribal landfill and/or solid waste disposal site lists***

### **SWF/LF: Permitted Landfills List**

Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 12/10/2019  
Date Data Arrived at EDR: 01/03/2020  
Date Made Active in Reports: 03/16/2020  
Number of Days to Update: 73

Source: Department of Health and Environmental Control  
Telephone: 803-734-5165  
Source: Department of Health and Environmental Control, GIS Section  
Telephone: 803-896-4084  
Last EDR Contact: 03/09/2020  
Next Scheduled EDR Contact: 06/22/2020  
Data Release Frequency: Semi-Annually

## ***State and tribal leaking storage tank lists***

### **LUST: Leaking Underground Storage Tank List**

Leaking Underground Storage Tank Incident Reports. LUST records contain an inventory of reported leaking underground storage tank incidents. Not all states maintain these records, and the information stored varies by state.

Date of Government Version: 10/23/2019  
Date Data Arrived at EDR: 10/23/2019  
Date Made Active in Reports: 01/02/2020  
Number of Days to Update: 71

Source: Department of Health and Environmental Control  
Telephone: 803-898-4350  
Last EDR Contact: 01/21/2020  
Next Scheduled EDR Contact: 05/04/2020  
Data Release Frequency: Quarterly

### **INDIAN LUST R1: Leaking Underground Storage Tanks on Indian Land**

A listing of leaking underground storage tank locations on Indian Land.

Date of Government Version: 10/01/2019  
Date Data Arrived at EDR: 12/04/2019  
Date Made Active in Reports: 02/10/2020  
Number of Days to Update: 68

Source: EPA Region 1  
Telephone: 617-918-1313  
Last EDR Contact: 01/24/2020  
Next Scheduled EDR Contact: 05/04/2020  
Data Release Frequency: Varies



# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

INDIAN LUST R6: Leaking Underground Storage Tanks on Indian Land  
LUSTs on Indian land in New Mexico and Oklahoma.

Date of Government Version: 10/02/2019	Source: EPA Region 6
Date Data Arrived at EDR: 12/04/2019	Telephone: 214-665-6597
Date Made Active in Reports: 02/10/2020	Last EDR Contact: 01/24/2020
Number of Days to Update: 68	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

INDIAN LUST R10: Leaking Underground Storage Tanks on Indian Land  
LUSTs on Indian land in Alaska, Idaho, Oregon and Washington.

Date of Government Version: 10/11/2019	Source: EPA Region 10
Date Data Arrived at EDR: 12/04/2019	Telephone: 206-553-2857
Date Made Active in Reports: 02/10/2020	Last EDR Contact: 01/24/2020
Number of Days to Update: 68	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

INDIAN LUST R7: Leaking Underground Storage Tanks on Indian Land  
LUSTs on Indian land in Iowa, Kansas, and Nebraska

Date of Government Version: 10/15/2019	Source: EPA Region 7
Date Data Arrived at EDR: 12/17/2019	Telephone: 913-551-7003
Date Made Active in Reports: 02/10/2020	Last EDR Contact: 12/16/2019
Number of Days to Update: 55	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

INDIAN LUST R4: Leaking Underground Storage Tanks on Indian Land  
LUSTs on Indian land in Florida, Mississippi and North Carolina.

Date of Government Version: 10/10/2019	Source: EPA Region 4
Date Data Arrived at EDR: 12/05/2019	Telephone: 404-562-8677
Date Made Active in Reports: 02/10/2020	Last EDR Contact: 01/24/2020
Number of Days to Update: 67	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

INDIAN LUST R5: Leaking Underground Storage Tanks on Indian Land  
Leaking underground storage tanks located on Indian Land in Michigan, Minnesota and Wisconsin.

Date of Government Version: 10/01/2019	Source: EPA, Region 5
Date Data Arrived at EDR: 12/04/2019	Telephone: 312-886-7439
Date Made Active in Reports: 02/10/2020	Last EDR Contact: 01/24/2020
Number of Days to Update: 68	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

INDIAN LUST R8: Leaking Underground Storage Tanks on Indian Land  
LUSTs on Indian land in Colorado, Montana, North Dakota, South Dakota, Utah and Wyoming.

Date of Government Version: 10/03/2019	Source: EPA Region 8
Date Data Arrived at EDR: 12/04/2019	Telephone: 303-312-6271
Date Made Active in Reports: 02/14/2020	Last EDR Contact: 01/24/2020
Number of Days to Update: 72	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

INDIAN LUST R9: Leaking Underground Storage Tanks on Indian Land  
LUSTs on Indian land in Arizona, California, New Mexico and Nevada

Date of Government Version: 10/04/2019	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/04/2019	Telephone: 415-972-3372
Date Made Active in Reports: 02/27/2020	Last EDR Contact: 01/24/2020
Number of Days to Update: 85	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## ***State and tribal registered storage tank lists***

### **FEMA UST: Underground Storage Tank Listing**

A listing of all FEMA owned underground storage tanks.

Date of Government Version: 08/27/2019	Source: FEMA
Date Data Arrived at EDR: 08/28/2019	Telephone: 202-646-5797
Date Made Active in Reports: 11/11/2019	Last EDR Contact: 01/21/2020
Number of Days to Update: 75	Next Scheduled EDR Contact: 04/20/2020
	Data Release Frequency: Varies

### **UST: Comprehensive Underground Storage Tanks**

Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available information varies by state program.

Date of Government Version: 11/09/2019	Source: Department of Health and Environmental Control
Date Data Arrived at EDR: 11/12/2019	Telephone: 803-896-7957
Date Made Active in Reports: 01/17/2020	Last EDR Contact: 01/06/2020
Number of Days to Update: 66	Next Scheduled EDR Contact: 04/20/2020
	Data Release Frequency: Quarterly

### **AST: Aboveground Storage Tank List**

Registered Aboveground Storage Tanks.

Date of Government Version: 03/25/2004	Source: Department of Health and Environmental Control
Date Data Arrived at EDR: 08/04/2004	Telephone: 803-898-4350
Date Made Active in Reports: 09/23/2004	Last EDR Contact: 02/24/2020
Number of Days to Update: 50	Next Scheduled EDR Contact: 06/08/2020
	Data Release Frequency: Varies

### **INDIAN UST R10: Underground Storage Tanks on Indian Land**

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 10 (Alaska, Idaho, Oregon, Washington, and Tribal Nations).

Date of Government Version: 10/11/2019	Source: EPA Region 10
Date Data Arrived at EDR: 12/04/2019	Telephone: 206-553-2857
Date Made Active in Reports: 02/10/2020	Last EDR Contact: 01/24/2020
Number of Days to Update: 68	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

### **INDIAN UST R1: Underground Storage Tanks on Indian Land**

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 1 (Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont and ten Tribal Nations).

Date of Government Version: 10/01/2019	Source: EPA, Region 1
Date Data Arrived at EDR: 12/04/2019	Telephone: 617-918-1313
Date Made Active in Reports: 02/10/2020	Last EDR Contact: 01/24/2020
Number of Days to Update: 68	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

### **INDIAN UST R4: Underground Storage Tanks on Indian Land**

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 4 (Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee and Tribal Nations)

Date of Government Version: 10/10/2019	Source: EPA Region 4
Date Data Arrived at EDR: 12/05/2019	Telephone: 404-562-9424
Date Made Active in Reports: 02/10/2020	Last EDR Contact: 01/24/2020
Number of Days to Update: 67	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## INDIAN UST R5: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 5 (Michigan, Minnesota and Wisconsin and Tribal Nations).

Date of Government Version: 10/01/2019	Source: EPA Region 5
Date Data Arrived at EDR: 12/04/2019	Telephone: 312-886-6136
Date Made Active in Reports: 02/10/2020	Last EDR Contact: 01/24/2020
Number of Days to Update: 68	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

## INDIAN UST R6: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 6 (Louisiana, Arkansas, Oklahoma, New Mexico, Texas and 65 Tribes).

Date of Government Version: 10/02/2019	Source: EPA Region 6
Date Data Arrived at EDR: 12/04/2019	Telephone: 214-665-7591
Date Made Active in Reports: 02/10/2020	Last EDR Contact: 01/24/2020
Number of Days to Update: 68	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

## INDIAN UST R7: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 7 (Iowa, Kansas, Missouri, Nebraska, and 9 Tribal Nations).

Date of Government Version: 10/11/2019	Source: EPA Region 7
Date Data Arrived at EDR: 12/04/2019	Telephone: 913-551-7003
Date Made Active in Reports: 02/10/2020	Last EDR Contact: 01/24/2020
Number of Days to Update: 68	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

## INDIAN UST R8: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 8 (Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming and 27 Tribal Nations).

Date of Government Version: 10/03/2019	Source: EPA Region 8
Date Data Arrived at EDR: 12/04/2019	Telephone: 303-312-6137
Date Made Active in Reports: 02/14/2020	Last EDR Contact: 01/24/2020
Number of Days to Update: 72	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

## INDIAN UST R9: Underground Storage Tanks on Indian Land

The Indian Underground Storage Tank (UST) database provides information about underground storage tanks on Indian land in EPA Region 9 (Arizona, California, Hawaii, Nevada, the Pacific Islands, and Tribal Nations).

Date of Government Version: 10/04/2019	Source: EPA Region 9
Date Data Arrived at EDR: 12/04/2019	Telephone: 415-972-3368
Date Made Active in Reports: 02/27/2020	Last EDR Contact: 01/24/2020
Number of Days to Update: 85	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

## ***State and tribal institutional control / engineering control registries***

### RCR: Registry of Conditional Remedies

The Bureau of Land and Waste Management established this Registry to help monitor and maintain sites that have conditional remedies. A Conditional Remedy is an environmental remedy that includes certain qualifications. These qualifications are divided into two major categories: Remedies requiring Land Use Controls and Conditional No Further Actions.

Date of Government Version: 01/07/2020	Source: Department of Health & Environmental Control
Date Data Arrived at EDR: 01/09/2020	Telephone: 803-896-4000
Date Made Active in Reports: 03/16/2020	Last EDR Contact: 03/09/2020
Number of Days to Update: 67	Next Scheduled EDR Contact: 06/22/2020
	Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## AUL: Land Use Controls

The term Land Use Controls or "LUCs" encompass institutional controls, such as those involved in real estate interests, governmental permitting, zoning, public advisories, deed notices, and other legal restrictions. The term also includes restrictions on access, whether achieved by means of engineered barriers (e.g., fence or concrete pad) or by human means (e.g., the presence of security guards). Additionally, the term includes both affirmative measures to achieve the desired restrictions (e.g., night lighting of an area) and prohibitive directives (e.g., restrictions on certain types of wells for the duration of the corrective action). Considered altogether, the LUCs for a facility will provide a tool for how the property should be used in order to maintain the level of protectiveness that one or more corrective actions were designed to achieve.

Date of Government Version: 12/09/2019	Source: Department of Health & Environmental Control
Date Data Arrived at EDR: 12/11/2019	Telephone: 803-896-4049
Date Made Active in Reports: 02/25/2020	Last EDR Contact: 03/11/2020
Number of Days to Update: 76	Next Scheduled EDR Contact: 06/22/2020
	Data Release Frequency: Varies

## **State and tribal voluntary cleanup sites**

### INDIAN VCP R7: Voluntary Cleanup Priority Listing

A listing of voluntary cleanup priority sites located on Indian Land located in Region 7.

Date of Government Version: 03/20/2008	Source: EPA, Region 7
Date Data Arrived at EDR: 04/22/2008	Telephone: 913-551-7365
Date Made Active in Reports: 05/19/2008	Last EDR Contact: 04/20/2009
Number of Days to Update: 27	Next Scheduled EDR Contact: 07/20/2009
	Data Release Frequency: Varies

### VCP: Voluntary Cleanup Sites

Sites participating in the Voluntary Cleanup Program. Once staff and a non-responsible party have agreed upon an approved scope of work for a site investigation and/or remediation, the party enters into a voluntary cleanup contract. Staff oversees the cleanup efforts to ensure that activities are performed to our satisfaction. Upon completion of the negotiated work in the voluntary cleanup contract, the non-responsible party receives State Superfund liability protection.

Date of Government Version: 10/01/2019	Source: Department of Health and Environmental Control
Date Data Arrived at EDR: 10/10/2019	Telephone: 803-896-4049
Date Made Active in Reports: 12/18/2019	Last EDR Contact: 03/11/2020
Number of Days to Update: 69	Next Scheduled EDR Contact: 04/27/2020
	Data Release Frequency: Varies

### INDIAN VCP R1: Voluntary Cleanup Priority Listing

A listing of voluntary cleanup priority sites located on Indian Land located in Region 1.

Date of Government Version: 07/27/2015	Source: EPA, Region 1
Date Data Arrived at EDR: 09/29/2015	Telephone: 617-918-1102
Date Made Active in Reports: 02/18/2016	Last EDR Contact: 03/18/2020
Number of Days to Update: 142	Next Scheduled EDR Contact: 07/06/2020
	Data Release Frequency: Varies

## **State and tribal Brownfields sites**

### BROWNFIELDS: Brownfields Sites Listing

The Brownfields component of the Voluntary Cleanup Program allows a non-responsible party to acquire a contaminated property with State Superfund liability protection for existing contamination by agreeing to perform an environmental assessment and/or remediation.

Date of Government Version: 10/01/2019	Source: Department of Health & Environmental Control
Date Data Arrived at EDR: 10/10/2019	Telephone: 803-896-4069
Date Made Active in Reports: 12/18/2019	Last EDR Contact: 03/12/2020
Number of Days to Update: 69	Next Scheduled EDR Contact: 04/27/2020
	Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## ADDITIONAL ENVIRONMENTAL RECORDS

### **Local Brownfield lists**

#### US BROWNFIELDS: A Listing of Brownfields Sites

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. Assessment, Cleanup and Redevelopment Exchange System (ACRES) stores information reported by EPA Brownfields grant recipients on brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. A listing of ACRES Brownfield sites is obtained from Cleanups in My Community. Cleanups in My Community provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields grant programs.

Date of Government Version: 12/02/2019	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/16/2019	Telephone: 202-566-2777
Date Made Active in Reports: 03/06/2020	Last EDR Contact: 03/17/2020
Number of Days to Update: 81	Next Scheduled EDR Contact: 06/29/2020
	Data Release Frequency: Semi-Annually

### **Local Lists of Landfill / Solid Waste Disposal Sites**

#### SWRCY: Solid Waste Recycling Facilities

A listing of recycling center locations.

Date of Government Version: 01/30/2019	Source: Department of Health & Environmental Control
Date Data Arrived at EDR: 06/25/2019	Telephone: 803-896-8985
Date Made Active in Reports: 06/26/2019	Last EDR Contact: 03/11/2020
Number of Days to Update: 1	Next Scheduled EDR Contact: 06/22/2020
	Data Release Frequency: Varies

#### INDIAN ODI: Report on the Status of Open Dumps on Indian Lands

Location of open dumps on Indian land.

Date of Government Version: 12/31/1998	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/03/2007	Telephone: 703-308-8245
Date Made Active in Reports: 01/24/2008	Last EDR Contact: 01/27/2020
Number of Days to Update: 52	Next Scheduled EDR Contact: 05/11/2020
	Data Release Frequency: Varies

#### DEBRIS REGION 9: Torres Martinez Reservation Illegal Dump Site Locations

A listing of illegal dump sites location on the Torres Martinez Indian Reservation located in eastern Riverside County and northern Imperial County, California.

Date of Government Version: 01/12/2009	Source: EPA, Region 9
Date Data Arrived at EDR: 05/07/2009	Telephone: 415-947-4219
Date Made Active in Reports: 09/21/2009	Last EDR Contact: 01/17/2020
Number of Days to Update: 137	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: No Update Planned

#### ODI: Open Dump Inventory

An open dump is defined as a disposal facility that does not comply with one or more of the Part 257 or Part 258 Subtitle D Criteria.

Date of Government Version: 06/30/1985	Source: Environmental Protection Agency
Date Data Arrived at EDR: 08/09/2004	Telephone: 800-424-9346
Date Made Active in Reports: 09/17/2004	Last EDR Contact: 06/09/2004
Number of Days to Update: 39	Next Scheduled EDR Contact: N/A
	Data Release Frequency: No Update Planned

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## IHS OPEN DUMPS: Open Dumps on Indian Land

A listing of all open dumps located on Indian Land in the United States.

Date of Government Version: 04/01/2014  
Date Data Arrived at EDR: 08/06/2014  
Date Made Active in Reports: 01/29/2015  
Number of Days to Update: 176

Source: Department of Health & Human Services, Indian Health Service  
Telephone: 301-443-1452  
Last EDR Contact: 01/31/2020  
Next Scheduled EDR Contact: 05/11/2020  
Data Release Frequency: Varies

## Local Lists of Hazardous waste / Contaminated Sites

### US HIST CDL: National Clandestine Laboratory Register

A listing of clandestine drug lab locations that have been removed from the DEAs National Clandestine Laboratory Register.

Date of Government Version: 06/11/2019  
Date Data Arrived at EDR: 06/13/2019  
Date Made Active in Reports: 09/03/2019  
Number of Days to Update: 82

Source: Drug Enforcement Administration  
Telephone: 202-307-1000  
Last EDR Contact: 02/21/2020  
Next Scheduled EDR Contact: 06/08/2020  
Data Release Frequency: No Update Planned

### ALLSITES: Site Assessment & Remediation Public Record Database

The South Carolina Department of Health and Environmental Control is pleased to have the Public Record for your review. The purpose of this database is two-fold. First, it will provide to communities another form of notice of cleanup activity, allowing them to have more information about assessment and cleanup activities in their area and in the State. Second, it can assist those seeking to redevelop brownfield properties within South Carolina.

Date of Government Version: 12/09/2019  
Date Data Arrived at EDR: 12/11/2019  
Date Made Active in Reports: 02/25/2020  
Number of Days to Update: 76

Source: Department of Health & Environmental Control  
Telephone: 803-896-4000  
Last EDR Contact: 03/11/2020  
Next Scheduled EDR Contact: 06/22/2020  
Data Release Frequency: Quarterly

### CDL 2: Clandestine Drug Lab Listing

A listing of clandestine drug lab site locations.

Date of Government Version: 07/31/2019  
Date Data Arrived at EDR: 09/05/2019  
Date Made Active in Reports: 11/15/2019  
Number of Days to Update: 71

Source: South Carolina Law Enforcement Division  
Telephone: 803-896-7136  
Last EDR Contact: 02/24/2020  
Next Scheduled EDR Contact: 06/08/2020  
Data Release Frequency: Varies

### CDL: Clandestine Drug Lab Sites

A listing of clandestine drug lab site locations.

Date of Government Version: 01/24/2012  
Date Data Arrived at EDR: 01/26/2012  
Date Made Active in Reports: 02/24/2012  
Number of Days to Update: 29

Source: Department of Health & Environmental Control  
Telephone: 803-896-4288  
Last EDR Contact: 03/02/2020  
Next Scheduled EDR Contact: 06/15/2020  
Data Release Frequency: Varies

### US CDL: Clandestine Drug Labs

A listing of clandestine drug lab locations. The U.S. Department of Justice ("the Department") provides this web site as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy. Members of the public must verify the accuracy of all entries by, for example, contacting local law enforcement and local health departments.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 06/11/2019  
Date Data Arrived at EDR: 06/13/2019  
Date Made Active in Reports: 09/03/2019  
Number of Days to Update: 82

Source: Drug Enforcement Administration  
Telephone: 202-307-1000  
Last EDR Contact: 02/21/2020  
Next Scheduled EDR Contact: 06/08/2020  
Data Release Frequency: Quarterly

## **Local Land Records**

### **LIENS 2: CERCLA Lien Information**

A Federal CERCLA ('Superfund') lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. These monies are spent to investigate and address releases and threatened releases of contamination. CERCLIS provides information as to the identity of these sites and properties.

Date of Government Version: 01/30/2020  
Date Data Arrived at EDR: 02/05/2020  
Date Made Active in Reports: 02/14/2020  
Number of Days to Update: 9

Source: Environmental Protection Agency  
Telephone: 202-564-6023  
Last EDR Contact: 03/05/2020  
Next Scheduled EDR Contact: 04/13/2020  
Data Release Frequency: Semi-Annually

## **Records of Emergency Release Reports**

### **HMIRS: Hazardous Materials Information Reporting System**

Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 12/05/2019  
Date Data Arrived at EDR: 12/06/2019  
Date Made Active in Reports: 02/14/2020  
Number of Days to Update: 70

Source: U.S. Department of Transportation  
Telephone: 202-366-4555  
Last EDR Contact: 12/06/2019  
Next Scheduled EDR Contact: 04/06/2020  
Data Release Frequency: Quarterly

### **SPILLS: Spill List**

Spills and releases of petroleum and hazardous chemicals reported to the Oil & Chemical Emergency Response division.

Date of Government Version: 11/27/2019  
Date Data Arrived at EDR: 12/03/2019  
Date Made Active in Reports: 01/29/2020  
Number of Days to Update: 57

Source: Department of Health and Environmental Control  
Telephone: 803-898-4111  
Last EDR Contact: 02/24/2020  
Next Scheduled EDR Contact: 06/08/2020  
Data Release Frequency: Semi-Annually

### **SPILLS 90: SPILLS90 data from FirstSearch**

Spills 90 includes those spill and release records available exclusively from FirstSearch databases. Typically, they may include chemical, oil and/or hazardous substance spills recorded after 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 90.

Date of Government Version: 10/25/2012  
Date Data Arrived at EDR: 01/03/2013  
Date Made Active in Reports: 03/07/2013  
Number of Days to Update: 63

Source: FirstSearch  
Telephone: N/A  
Last EDR Contact: 01/03/2013  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: No Update Planned

### **SPILLS 80: SPILLS80 data from FirstSearch**

Spills 80 includes those spill and release records available from FirstSearch databases prior to 1990. Typically, they may include chemical, oil and/or hazardous substance spills recorded before 1990. Duplicate records that are already included in EDR incident and release records are not included in Spills 80.

Date of Government Version: 03/26/2001  
Date Data Arrived at EDR: 01/03/2013  
Date Made Active in Reports: 03/07/2013  
Number of Days to Update: 63

Source: FirstSearch  
Telephone: N/A  
Last EDR Contact: 01/03/2013  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: No Update Planned

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## ***Other Ascertainable Records***

### **RCRA NonGen / NLR: RCRA - Non Generators / No Longer Regulated**

RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste.

Date of Government Version: 12/16/2019	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/16/2019	Telephone: (404) 562-8651
Date Made Active in Reports: 12/20/2019	Last EDR Contact: 02/27/2020
Number of Days to Update: 4	Next Scheduled EDR Contact: 04/06/2020
	Data Release Frequency: Quarterly

### **FUDS: Formerly Used Defense Sites**

The listing includes locations of Formerly Used Defense Sites properties where the US Army Corps of Engineers is actively working or will take necessary cleanup actions.

Date of Government Version: 11/12/2019	Source: U.S. Army Corps of Engineers
Date Data Arrived at EDR: 11/19/2019	Telephone: 202-528-4285
Date Made Active in Reports: 01/28/2020	Last EDR Contact: 02/19/2020
Number of Days to Update: 70	Next Scheduled EDR Contact: 06/01/2020
	Data Release Frequency: Varies

### **DOD: Department of Defense Sites**

This data set consists of federally owned or administered lands, administered by the Department of Defense, that have any area equal to or greater than 640 acres of the United States, Puerto Rico, and the U.S. Virgin Islands.

Date of Government Version: 12/31/2005	Source: USGS
Date Data Arrived at EDR: 11/10/2006	Telephone: 888-275-8747
Date Made Active in Reports: 01/11/2007	Last EDR Contact: 01/10/2020
Number of Days to Update: 62	Next Scheduled EDR Contact: 04/20/2020
	Data Release Frequency: Semi-Annually

### **FEDLAND: Federal and Indian Lands**

Federally and Indian administrated lands of the United States. Lands included are administrated by: Army Corps of Engineers, Bureau of Reclamation, National Wild and Scenic River, National Wildlife Refuge, Public Domain Land, Wilderness, Wilderness Study Area, Wildlife Management Area, Bureau of Indian Affairs, Bureau of Land Management, Department of Justice, Forest Service, Fish and Wildlife Service, National Park Service.

Date of Government Version: 04/02/2018	Source: U.S. Geological Survey
Date Data Arrived at EDR: 04/11/2018	Telephone: 888-275-8747
Date Made Active in Reports: 11/06/2019	Last EDR Contact: 01/09/2020
Number of Days to Update: 574	Next Scheduled EDR Contact: 04/20/2020
	Data Release Frequency: N/A

### **SCRD DRYCLEANERS: State Coalition for Remediation of Drycleaners Listing**

The State Coalition for Remediation of Drycleaners was established in 1998, with support from the U.S. EPA Office of Superfund Remediation and Technology Innovation. It is comprised of representatives of states with established drycleaner remediation programs. Currently the member states are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.

Date of Government Version: 01/01/2017	Source: Environmental Protection Agency
Date Data Arrived at EDR: 02/03/2017	Telephone: 615-532-8599
Date Made Active in Reports: 04/07/2017	Last EDR Contact: 02/13/2020
Number of Days to Update: 63	Next Scheduled EDR Contact: 05/25/2020
	Data Release Frequency: Varies



# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## US FIN ASSUR: Financial Assurance Information

All owners and operators of facilities that treat, store, or dispose of hazardous waste are required to provide proof that they will have sufficient funds to pay for the clean up, closure, and post-closure care of their facilities.

Date of Government Version: 12/16/2019	Source: Environmental Protection Agency
Date Data Arrived at EDR: 12/19/2019	Telephone: 202-566-1917
Date Made Active in Reports: 02/27/2020	Last EDR Contact: 12/19/2019
Number of Days to Update: 70	Next Scheduled EDR Contact: 04/06/2020
	Data Release Frequency: Quarterly

## EPA WATCH LIST: EPA WATCH LIST

EPA maintains a "Watch List" to facilitate dialogue between EPA, state and local environmental agencies on enforcement matters relating to facilities with alleged violations identified as either significant or high priority. Being on the Watch List does not mean that the facility has actually violated the law only that an investigation by EPA or a state or local environmental agency has led those organizations to allege that an unproven violation has in fact occurred. Being on the Watch List does not represent a higher level of concern regarding the alleged violations that were detected, but instead indicates cases requiring additional dialogue between EPA, state and local agencies - primarily because of the length of time the alleged violation has gone unaddressed or unresolved.

Date of Government Version: 08/30/2013	Source: Environmental Protection Agency
Date Data Arrived at EDR: 03/21/2014	Telephone: 617-520-3000
Date Made Active in Reports: 06/17/2014	Last EDR Contact: 02/03/2020
Number of Days to Update: 88	Next Scheduled EDR Contact: 05/18/2020
	Data Release Frequency: Quarterly

## 2020 COR ACTION: 2020 Corrective Action Program List

The EPA has set ambitious goals for the RCRA Corrective Action program by creating the 2020 Corrective Action Universe. This RCRA cleanup baseline includes facilities expected to need corrective action. The 2020 universe contains a wide variety of sites. Some properties are heavily contaminated while others were contaminated but have since been cleaned up. Still others have not been fully investigated yet, and may require little or no remediation. Inclusion in the 2020 Universe does not necessarily imply failure on the part of a facility to meet its RCRA obligations.

Date of Government Version: 09/30/2017	Source: Environmental Protection Agency
Date Data Arrived at EDR: 05/08/2018	Telephone: 703-308-4044
Date Made Active in Reports: 07/20/2018	Last EDR Contact: 02/07/2020
Number of Days to Update: 73	Next Scheduled EDR Contact: 05/18/2020
	Data Release Frequency: Varies

## TSCA: Toxic Substances Control Act

Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site.

Date of Government Version: 12/31/2016	Source: EPA
Date Data Arrived at EDR: 06/21/2017	Telephone: 202-260-5521
Date Made Active in Reports: 01/05/2018	Last EDR Contact: 03/20/2020
Number of Days to Update: 198	Next Scheduled EDR Contact: 06/29/2020
	Data Release Frequency: Every 4 Years

## TRIS: Toxic Chemical Release Inventory System

Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/2017	Source: EPA
Date Data Arrived at EDR: 11/16/2018	Telephone: 202-566-0250
Date Made Active in Reports: 11/21/2019	Last EDR Contact: 02/05/2020
Number of Days to Update: 370	Next Scheduled EDR Contact: 06/01/2020
	Data Release Frequency: Annually

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## SSTS: Section 7 Tracking Systems

Section 7 of the Federal Insecticide, Fungicide and Rodenticide Act, as amended (92 Stat. 829) requires all registered pesticide-producing establishments to submit a report to the Environmental Protection Agency by March 1st each year. Each establishment must report the types and amounts of pesticides, active ingredients and devices being produced, and those having been produced and sold or distributed in the past year.

Date of Government Version: 05/01/2019	Source: EPA
Date Data Arrived at EDR: 10/23/2019	Telephone: 202-564-4203
Date Made Active in Reports: 01/15/2020	Last EDR Contact: 01/24/2020
Number of Days to Update: 84	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Annually

## ROD: Records Of Decision

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 01/30/2020	Source: EPA
Date Data Arrived at EDR: 02/05/2020	Telephone: 703-416-0223
Date Made Active in Reports: 02/14/2020	Last EDR Contact: 03/04/2020
Number of Days to Update: 9	Next Scheduled EDR Contact: 06/15/2020
	Data Release Frequency: Annually

## RMP: Risk Management Plans

When Congress passed the Clean Air Act Amendments of 1990, it required EPA to publish regulations and guidance for chemical accident prevention at facilities using extremely hazardous substances. The Risk Management Program Rule (RMP Rule) was written to implement Section 112(r) of these amendments. The rule, which built upon existing industry codes and standards, requires companies of all sizes that use certain flammable and toxic substances to develop a Risk Management Program, which includes a(n): Hazard assessment that details the potential effects of an accidental release, an accident history of the last five years, and an evaluation of worst-case and alternative accidental releases; Prevention program that includes safety precautions and maintenance, monitoring, and employee training measures; and Emergency response program that spells out emergency health care, employee training measures and procedures for informing the public and response agencies (e.g the fire department) should an accident occur.

Date of Government Version: 04/25/2019	Source: Environmental Protection Agency
Date Data Arrived at EDR: 05/02/2019	Telephone: 202-564-8600
Date Made Active in Reports: 05/23/2019	Last EDR Contact: 01/21/2020
Number of Days to Update: 21	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

## RAATS: RCRA Administrative Action Tracking System

RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA. For administration actions after September 30, 1995, data entry in the RAATS database was discontinued. EPA will retain a copy of the database for historical records. It was necessary to terminate RAATS because a decrease in agency resources made it impossible to continue to update the information contained in the database.

Date of Government Version: 04/17/1995	Source: EPA
Date Data Arrived at EDR: 07/03/1995	Telephone: 202-564-4104
Date Made Active in Reports: 08/07/1995	Last EDR Contact: 06/02/2008
Number of Days to Update: 35	Next Scheduled EDR Contact: 09/01/2008
	Data Release Frequency: No Update Planned

## PRP: Potentially Responsible Parties

A listing of verified Potentially Responsible Parties

Date of Government Version: 01/30/2020	Source: EPA
Date Data Arrived at EDR: 02/06/2020	Telephone: 202-564-6023
Date Made Active in Reports: 02/14/2020	Last EDR Contact: 03/04/2020
Number of Days to Update: 8	Next Scheduled EDR Contact: 05/18/2020
	Data Release Frequency: Quarterly

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## PADS: PCB Activity Database System

PCB Activity Database. PADS Identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

Date of Government Version: 10/09/2019	Source: EPA
Date Data Arrived at EDR: 10/11/2019	Telephone: 202-566-0500
Date Made Active in Reports: 12/20/2019	Last EDR Contact: 01/10/2020
Number of Days to Update: 70	Next Scheduled EDR Contact: 04/20/2020
	Data Release Frequency: Annually

## ICIS: Integrated Compliance Information System

The Integrated Compliance Information System (ICIS) supports the information needs of the national enforcement and compliance program as well as the unique needs of the National Pollutant Discharge Elimination System (NPDES) program.

Date of Government Version: 11/18/2016	Source: Environmental Protection Agency
Date Data Arrived at EDR: 11/23/2016	Telephone: 202-564-2501
Date Made Active in Reports: 02/10/2017	Last EDR Contact: 01/06/2020
Number of Days to Update: 79	Next Scheduled EDR Contact: 04/20/2020
	Data Release Frequency: Quarterly

## FTTS: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

FTTS tracks administrative cases and pesticide enforcement actions and compliance activities related to FIFRA, TSCA and EPCRA (Emergency Planning and Community Right-to-Know Act). To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 04/09/2009	Source: EPA/Office of Prevention, Pesticides and Toxic Substances
Date Data Arrived at EDR: 04/16/2009	Telephone: 202-566-1667
Date Made Active in Reports: 05/11/2009	Last EDR Contact: 08/18/2017
Number of Days to Update: 25	Next Scheduled EDR Contact: 12/04/2017
	Data Release Frequency: No Update Planned

## FTTS INSP: FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act)

A listing of FIFRA/TSCA Tracking System (FTTS) inspections and enforcements.

Date of Government Version: 04/09/2009	Source: EPA
Date Data Arrived at EDR: 04/16/2009	Telephone: 202-566-1667
Date Made Active in Reports: 05/11/2009	Last EDR Contact: 08/18/2017
Number of Days to Update: 25	Next Scheduled EDR Contact: 12/04/2017
	Data Release Frequency: No Update Planned

## MLTS: Material Licensing Tracking System

MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 10/25/2019	Source: Nuclear Regulatory Commission
Date Data Arrived at EDR: 10/25/2019	Telephone: 301-415-7169
Date Made Active in Reports: 01/15/2020	Last EDR Contact: 01/21/2020
Number of Days to Update: 82	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Quarterly

## COAL ASH DOE: Steam-Electric Plant Operation Data

A listing of power plants that store ash in surface ponds.

Date of Government Version: 12/31/2018	Source: Department of Energy
Date Data Arrived at EDR: 12/04/2019	Telephone: 202-586-8719
Date Made Active in Reports: 01/15/2020	Last EDR Contact: 03/06/2020
Number of Days to Update: 42	Next Scheduled EDR Contact: 06/15/2020
	Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## COAL ASH EPA: Coal Combustion Residues Surface Impoundments List

A listing of coal combustion residues surface impoundments with high hazard potential ratings.

Date of Government Version: 01/12/2017	Source: Environmental Protection Agency
Date Data Arrived at EDR: 03/05/2019	Telephone: N/A
Date Made Active in Reports: 11/11/2019	Last EDR Contact: 02/27/2020
Number of Days to Update: 251	Next Scheduled EDR Contact: 06/15/2020
	Data Release Frequency: Varies

## PCB TRANSFORMER: PCB Transformer Registration Database

The database of PCB transformer registrations that includes all PCB registration submittals.

Date of Government Version: 09/13/2019	Source: Environmental Protection Agency
Date Data Arrived at EDR: 11/06/2019	Telephone: 202-566-0517
Date Made Active in Reports: 02/10/2020	Last EDR Contact: 02/07/2020
Number of Days to Update: 96	Next Scheduled EDR Contact: 05/18/2020
	Data Release Frequency: Varies

## RADINFO: Radiation Information Database

The Radiation Information Database (RADINFO) contains information about facilities that are regulated by U.S. Environmental Protection Agency (EPA) regulations for radiation and radioactivity.

Date of Government Version: 07/01/2019	Source: Environmental Protection Agency
Date Data Arrived at EDR: 07/01/2019	Telephone: 202-343-9775
Date Made Active in Reports: 09/23/2019	Last EDR Contact: 12/20/2019
Number of Days to Update: 84	Next Scheduled EDR Contact: 04/13/2020
	Data Release Frequency: Quarterly

## HIST FTTS: FIFRA/TSCA Tracking System Administrative Case Listing

A complete administrative case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006	Source: Environmental Protection Agency
Date Data Arrived at EDR: 03/01/2007	Telephone: 202-564-2501
Date Made Active in Reports: 04/10/2007	Last EDR Contact: 12/17/2007
Number of Days to Update: 40	Next Scheduled EDR Contact: 03/17/2008
	Data Release Frequency: No Update Planned

## HIST FTTS INSP: FIFRA/TSCA Tracking System Inspection & Enforcement Case Listing

A complete inspection and enforcement case listing from the FIFRA/TSCA Tracking System (FTTS) for all ten EPA regions. The information was obtained from the National Compliance Database (NCDB). NCDB supports the implementation of FIFRA (Federal Insecticide, Fungicide, and Rodenticide Act) and TSCA (Toxic Substances Control Act). Some EPA regions are now closing out records. Because of that, and the fact that some EPA regions are not providing EPA Headquarters with updated records, it was decided to create a HIST FTTS database. It included records that may not be included in the newer FTTS database updates. This database is no longer updated.

Date of Government Version: 10/19/2006	Source: Environmental Protection Agency
Date Data Arrived at EDR: 03/01/2007	Telephone: 202-564-2501
Date Made Active in Reports: 04/10/2007	Last EDR Contact: 12/17/2008
Number of Days to Update: 40	Next Scheduled EDR Contact: 03/17/2008
	Data Release Frequency: No Update Planned

## DOT OPS: Incident and Accident Data

Department of Transportation, Office of Pipeline Safety Incident and Accident data.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 10/01/2019  
Date Data Arrived at EDR: 10/29/2019  
Date Made Active in Reports: 01/15/2020  
Number of Days to Update: 78

Source: Department of Transportation, Office of Pipeline Safety  
Telephone: 202-366-4595  
Last EDR Contact: 01/28/2020  
Next Scheduled EDR Contact: 05/11/2020  
Data Release Frequency: Quarterly

## CONSENT: Superfund (CERCLA) Consent Decrees

Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: 12/31/2019  
Date Data Arrived at EDR: 01/17/2020  
Date Made Active in Reports: 03/06/2020  
Number of Days to Update: 49

Source: Department of Justice, Consent Decree Library  
Telephone: Varies  
Last EDR Contact: 01/06/2020  
Next Scheduled EDR Contact: 04/20/2020  
Data Release Frequency: Varies

## BRS: Biennial Reporting System

The Biennial Reporting System is a national system administered by the EPA that collects data on the generation and management of hazardous waste. BRS captures detailed data from two groups: Large Quantity Generators (LQG) and Treatment, Storage, and Disposal Facilities.

Date of Government Version: 12/31/2015  
Date Data Arrived at EDR: 02/22/2017  
Date Made Active in Reports: 09/28/2017  
Number of Days to Update: 218

Source: EPA/NTIS  
Telephone: 800-424-9346  
Last EDR Contact: 02/27/2020  
Next Scheduled EDR Contact: 04/06/2020  
Data Release Frequency: Biennially

## INDIAN RESERV: Indian Reservations

This map layer portrays Indian administered lands of the United States that have any area equal to or greater than 640 acres.

Date of Government Version: 12/31/2014  
Date Data Arrived at EDR: 07/14/2015  
Date Made Active in Reports: 01/10/2017  
Number of Days to Update: 546

Source: USGS  
Telephone: 202-208-3710  
Last EDR Contact: 01/07/2020  
Next Scheduled EDR Contact: 04/20/2020  
Data Release Frequency: Semi-Annually

## FUSRAP: Formerly Utilized Sites Remedial Action Program

DOE established the Formerly Utilized Sites Remedial Action Program (FUSRAP) in 1974 to remediate sites where radioactive contamination remained from Manhattan Project and early U.S. Atomic Energy Commission (AEC) operations.

Date of Government Version: 08/08/2017  
Date Data Arrived at EDR: 09/11/2018  
Date Made Active in Reports: 09/14/2018  
Number of Days to Update: 3

Source: Department of Energy  
Telephone: 202-586-3559  
Last EDR Contact: 01/31/2020  
Next Scheduled EDR Contact: 05/18/2020  
Data Release Frequency: Varies

## UMTRA: Uranium Mill Tailings Sites

Uranium ore was mined by private companies for federal government use in national defense programs. When the mills shut down, large piles of the sand-like material (mill tailings) remain after uranium has been extracted from the ore. Levels of human exposure to radioactive materials from the piles are low; however, in some cases tailings were used as construction materials before the potential health hazards of the tailings were recognized.

Date of Government Version: 08/30/2019  
Date Data Arrived at EDR: 11/15/2019  
Date Made Active in Reports: 01/28/2020  
Number of Days to Update: 74

Source: Department of Energy  
Telephone: 505-845-0011  
Last EDR Contact: 02/21/2020  
Next Scheduled EDR Contact: 06/01/2020  
Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## LEAD SMELTER 1: Lead Smelter Sites

A listing of former lead smelter site locations.

Date of Government Version: 01/30/2020	Source: Environmental Protection Agency
Date Data Arrived at EDR: 02/05/2020	Telephone: 703-603-8787
Date Made Active in Reports: 02/14/2020	Last EDR Contact: 03/04/2020
Number of Days to Update: 9	Next Scheduled EDR Contact: 04/13/2020
	Data Release Frequency: Varies

## LEAD SMELTER 2: Lead Smelter Sites

A list of several hundred sites in the U.S. where secondary lead smelting was done from 1931 and 1964. These sites may pose a threat to public health through ingestion or inhalation of contaminated soil or dust

Date of Government Version: 04/05/2001	Source: American Journal of Public Health
Date Data Arrived at EDR: 10/27/2010	Telephone: 703-305-6451
Date Made Active in Reports: 12/02/2010	Last EDR Contact: 12/02/2009
Number of Days to Update: 36	Next Scheduled EDR Contact: N/A
	Data Release Frequency: No Update Planned

## US AIRS (AFS): Aerometric Information Retrieval System Facility Subsystem (AFS)

The database is a sub-system of Aerometric Information Retrieval System (AIRS). AFS contains compliance data on air pollution point sources regulated by the U.S. EPA and/or state and local air regulatory agencies. This information comes from source reports by various stationary sources of air pollution, such as electric power plants, steel mills, factories, and universities, and provides information about the air pollutants they produce. Action, air program, air program pollutant, and general level plant data. It is used to track emissions and compliance data from industrial plants.

Date of Government Version: 10/12/2016	Source: EPA
Date Data Arrived at EDR: 10/26/2016	Telephone: 202-564-2496
Date Made Active in Reports: 02/03/2017	Last EDR Contact: 09/26/2017
Number of Days to Update: 100	Next Scheduled EDR Contact: 01/08/2018
	Data Release Frequency: Annually

## US AIRS MINOR: Air Facility System Data

A listing of minor source facilities.

Date of Government Version: 10/12/2016	Source: EPA
Date Data Arrived at EDR: 10/26/2016	Telephone: 202-564-2496
Date Made Active in Reports: 02/03/2017	Last EDR Contact: 09/26/2017
Number of Days to Update: 100	Next Scheduled EDR Contact: 01/08/2018
	Data Release Frequency: Annually

## MINES VIOLATIONS: MSHA Violation Assessment Data

Mines violation and assessment information. Department of Labor, Mine Safety & Health Administration.

Date of Government Version: 12/03/2019	Source: DOL, Mine Safety & Health Admi
Date Data Arrived at EDR: 12/03/2019	Telephone: 202-693-9424
Date Made Active in Reports: 01/28/2020	Last EDR Contact: 03/02/2020
Number of Days to Update: 56	Next Scheduled EDR Contact: 06/15/2020
	Data Release Frequency: Quarterly

## US MINES: Mines Master Index File

Contains all mine identification numbers issued for mines active or opened since 1971. The data also includes violation information.

Date of Government Version: 11/06/2019	Source: Department of Labor, Mine Safety and Health Administration
Date Data Arrived at EDR: 11/25/2019	Telephone: 303-231-5959
Date Made Active in Reports: 01/28/2020	Last EDR Contact: 02/25/2020
Number of Days to Update: 64	Next Scheduled EDR Contact: 06/08/2020
	Data Release Frequency: Semi-Annually

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## US MINES 2: Ferrous and Nonferrous Metal Mines Database Listing

This map layer includes ferrous (ferrous metal mines are facilities that extract ferrous metals, such as iron ore or molybdenum) and nonferrous (Nonferrous metal mines are facilities that extract nonferrous metals, such as gold, silver, copper, zinc, and lead) metal mines in the United States.

Date of Government Version: 12/05/2005	Source: USGS
Date Data Arrived at EDR: 02/29/2008	Telephone: 703-648-7709
Date Made Active in Reports: 04/18/2008	Last EDR Contact: 02/28/2020
Number of Days to Update: 49	Next Scheduled EDR Contact: 06/08/2020
	Data Release Frequency: Varies

## US MINES 3: Active Mines & Mineral Plants Database Listing

Active Mines and Mineral Processing Plant operations for commodities monitored by the Minerals Information Team of the USGS.

Date of Government Version: 04/14/2011	Source: USGS
Date Data Arrived at EDR: 06/08/2011	Telephone: 703-648-7709
Date Made Active in Reports: 09/13/2011	Last EDR Contact: 02/28/2020
Number of Days to Update: 97	Next Scheduled EDR Contact: 06/08/2020
	Data Release Frequency: Varies

## ABANDONED MINES: Abandoned Mines

An inventory of land and water impacted by past mining (primarily coal mining) is maintained by OSMRE to provide information needed to implement the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The inventory contains information on the location, type, and extent of AML impacts, as well as, information on the cost associated with the reclamation of those problems. The inventory is based upon field surveys by State, Tribal, and OSMRE program officials. It is dynamic to the extent that it is modified as new problems are identified and existing problems are reclaimed.

Date of Government Version: 12/09/2019	Source: Department of Interior
Date Data Arrived at EDR: 12/11/2019	Telephone: 202-208-2609
Date Made Active in Reports: 02/27/2020	Last EDR Contact: 03/05/2020
Number of Days to Update: 78	Next Scheduled EDR Contact: 06/22/2020
	Data Release Frequency: Quarterly

## FINDS: Facility Index System/Facility Registry System

Facility Index System. FINDS contains both facility information and 'pointers' to other sources that contain more detail. EDR includes the following FINDS databases in this report: PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), C-DOCKET (Criminal Docket System used to track criminal enforcement actions for all environmental statutes), FFIS (Federal Facilities Information System), STATE (State Environmental Laws and Statutes), and PADS (PCB Activity Data System).

Date of Government Version: 11/22/2019	Source: EPA
Date Data Arrived at EDR: 12/04/2019	Telephone: (404) 562-9900
Date Made Active in Reports: 03/02/2020	Last EDR Contact: 03/03/2020
Number of Days to Update: 89	Next Scheduled EDR Contact: 06/15/2020
	Data Release Frequency: Quarterly

## UXO: Unexploded Ordnance Sites

A listing of unexploded ordnance site locations

Date of Government Version: 12/31/2017	Source: Department of Defense
Date Data Arrived at EDR: 01/17/2019	Telephone: 703-704-1564
Date Made Active in Reports: 04/01/2019	Last EDR Contact: 01/13/2020
Number of Days to Update: 74	Next Scheduled EDR Contact: 04/27/2020
	Data Release Frequency: Varies

## DOCKET HWC: Hazardous Waste Compliance Docket Listing

A complete list of the Federal Agency Hazardous Waste Compliance Docket Facilities.

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

Date of Government Version: 05/31/2018  
Date Data Arrived at EDR: 07/26/2018  
Date Made Active in Reports: 10/05/2018  
Number of Days to Update: 71

Source: Environmental Protection Agency  
Telephone: 202-564-0527  
Last EDR Contact: 02/21/2020  
Next Scheduled EDR Contact: 06/08/2020  
Data Release Frequency: Varies

## ECHO: Enforcement & Compliance History Information

ECHO provides integrated compliance and enforcement information for about 800,000 regulated facilities nationwide.

Date of Government Version: 01/05/2020  
Date Data Arrived at EDR: 01/07/2020  
Date Made Active in Reports: 03/06/2020  
Number of Days to Update: 59

Source: Environmental Protection Agency  
Telephone: 202-564-2280  
Last EDR Contact: 01/07/2020  
Next Scheduled EDR Contact: 04/20/2020  
Data Release Frequency: Quarterly

## FUELS PROGRAM: EPA Fuels Program Registered Listing

This listing includes facilities that are registered under the Part 80 (Code of Federal Regulations) EPA Fuels Programs. All companies now are required to submit new and updated registrations.

Date of Government Version: 11/18/2019  
Date Data Arrived at EDR: 11/19/2019  
Date Made Active in Reports: 01/28/2020  
Number of Days to Update: 70

Source: EPA  
Telephone: 800-385-6164  
Last EDR Contact: 02/19/2020  
Next Scheduled EDR Contact: 06/01/2020  
Data Release Frequency: Quarterly

## AIRS: Permitted Airs Facility Listing

A listing of permitted air facilities.

Date of Government Version: 11/25/2019  
Date Data Arrived at EDR: 11/25/2019  
Date Made Active in Reports: 01/29/2020  
Number of Days to Update: 65

Source: Department of Health & Environmental Control  
Telephone: 803-898-4279  
Last EDR Contact: 02/26/2020  
Next Scheduled EDR Contact: 06/08/2020  
Data Release Frequency: Varies

## ASBESTOS: Asbestos Notification Listing

Asbestos abatement & demolition project list

Date of Government Version: 10/30/2019  
Date Data Arrived at EDR: 12/02/2019  
Date Made Active in Reports: 01/29/2020  
Number of Days to Update: 58

Source: Department of Health & Environmental Control  
Telephone: 803-898-3882  
Last EDR Contact: 01/21/2020  
Next Scheduled EDR Contact: 05/04/2020  
Data Release Frequency: Varies

## COAL ASH: Coal Ash Disposal Sites

A listing of sites with coal ash ponds.

Date of Government Version: 03/20/2018  
Date Data Arrived at EDR: 03/22/2018  
Date Made Active in Reports: 04/25/2018  
Number of Days to Update: 34

Source: Department of Health & Environmental Control  
Telephone: 803-898-3964  
Last EDR Contact: 03/16/2020  
Next Scheduled EDR Contact: 06/29/2020  
Data Release Frequency: Varies

## DRYCLEANERS: Drycleaner Database

The Drycleaning Facility Restoration Trust Fund database is used to access, prioritize and cleanup contaminated registered drycleaning sites.

Date of Government Version: 01/08/2018  
Date Data Arrived at EDR: 02/01/2018  
Date Made Active in Reports: 03/21/2018  
Number of Days to Update: 48

Source: Department of Health & Environmental Control  
Telephone: 803-898-3882  
Last EDR Contact: 01/31/2020  
Next Scheduled EDR Contact: 05/11/2020  
Data Release Frequency: Annually



# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## Financial Assurance 1: Financial Assurance Information Listing

Financial assurance information for solid waste facilities. Financial assurance is intended to ensure that resources are available to pay for the cost of closure, post-closure care, and corrective measures if the owner or operator of a regulated facility is unable or unwilling to pay.

Date of Government Version: 06/20/2019	Source: Department of Health & Environmental Control
Date Data Arrived at EDR: 06/20/2019	Telephone: 803-896-4067
Date Made Active in Reports: 09/06/2019	Last EDR Contact: 02/24/2020
Number of Days to Update: 78	Next Scheduled EDR Contact: 06/22/2020
	Data Release Frequency: Semi-Annually

## Financial Assurance 2: Financial Assurance Information Listing

Hazardous waste financial assurance information.

Date of Government Version: 06/20/2019	Source: Department of Health & Environmental Control
Date Data Arrived at EDR: 06/20/2019	Telephone: 803-898-3880
Date Made Active in Reports: 09/06/2019	Last EDR Contact: 03/09/2020
Number of Days to Update: 78	Next Scheduled EDR Contact: 06/22/2020
	Data Release Frequency: Varies

## Financial Assurance 3: Financial Assurance Information Listing

UST financial assurance information.

Date of Government Version: 11/09/2019	Source: Department of Health & Environmental Control
Date Data Arrived at EDR: 11/12/2019	Telephone: 803-898-3880
Date Made Active in Reports: 01/22/2020	Last EDR Contact: 01/06/2020
Number of Days to Update: 71	Next Scheduled EDR Contact: 04/20/2020
	Data Release Frequency: Varies

## GWCI: Groundwater Contamination Inventory

An inventory of all groundwater contamination cases in the state.

Date of Government Version: 07/01/2008	Source: Department of Health and Environmental Control
Date Data Arrived at EDR: 11/06/2008	Telephone: 803-898-3798
Date Made Active in Reports: 11/19/2008	Last EDR Contact: 03/19/2020
Number of Days to Update: 13	Next Scheduled EDR Contact: 07/06/2020
	Data Release Frequency: Annually

## NPDES: Waste Water Treatment Facilities Listing

A listing of waste water treatment facility locations.

Date of Government Version: 10/25/2019	Source: Department of Health & Environmental Control
Date Data Arrived at EDR: 10/29/2019	Telephone: 803-898-4300
Date Made Active in Reports: 01/03/2020	Last EDR Contact: 01/21/2020
Number of Days to Update: 66	Next Scheduled EDR Contact: 05/04/2020
	Data Release Frequency: Varies

## UIC: Underground Injection Wells Listing

A listing of underground injection wells locations.

Date of Government Version: 11/01/2019	Source: Department of Health & Environmental Control
Date Data Arrived at EDR: 11/01/2019	Telephone: 803-898-3799
Date Made Active in Reports: 12/10/2019	Last EDR Contact: 01/27/2020
Number of Days to Update: 39	Next Scheduled EDR Contact: 05/11/2020
	Data Release Frequency: Semi-Annually

## MINES MRDS: Mineral Resources Data System

Mineral Resources Data System

Date of Government Version: 04/06/2018	Source: USGS
Date Data Arrived at EDR: 10/21/2019	Telephone: 703-648-6533
Date Made Active in Reports: 10/24/2019	Last EDR Contact: 02/28/2020
Number of Days to Update: 3	Next Scheduled EDR Contact: 06/08/2020
	Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

MANIFEST: Hazardous Waste Manifest Data  
-> Description here.

Date of Government Version: 12/31/2019  
Date Data Arrived at EDR: 01/31/2020  
Date Made Active in Reports: 02/25/2020  
Number of Days to Update: 25

Source: -> Agency name here.  
Telephone: -> Phone here.  
Last EDR Contact: 01/21/2020  
Next Scheduled EDR Contact: 05/04/2020  
Data Release Frequency: Annually

## EDR HIGH RISK HISTORICAL RECORDS

### ***EDR Exclusive Records***

EDR MGP: EDR Proprietary Manufactured Gas Plants

The EDR Proprietary Manufactured Gas Plant Database includes records of coal gas plants (manufactured gas plants) compiled by EDR's researchers. Manufactured gas sites were used in the United States from the 1800's to 1950's to produce a gas that could be distributed and used as fuel. These plants used whale oil, rosin, coal, or a mixture of coal, oil, and water that also produced a significant amount of waste. Many of the byproducts of the gas production, such as coal tar (oily waste containing volatile and non-volatile chemicals), sludges, oils and other compounds are potentially hazardous to human health and the environment. The byproduct from this process was frequently disposed of directly at the plant site and can remain or spread slowly, serving as a continuous source of soil and groundwater contamination.

Date of Government Version: N/A  
Date Data Arrived at EDR: N/A  
Date Made Active in Reports: N/A  
Number of Days to Update: N/A

Source: EDR, Inc.  
Telephone: N/A  
Last EDR Contact: N/A  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: No Update Planned

EDR Hist Auto: EDR Exclusive Historical Auto Stations

EDR has searched selected national collections of business directories and has collected listings of potential gas station/filling station/service station sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include gas station/filling station/service station establishments. The categories reviewed included, but were not limited to gas, gas station, gasoline station, filling station, auto, automobile repair, auto service station, service station, etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A  
Date Data Arrived at EDR: N/A  
Date Made Active in Reports: N/A  
Number of Days to Update: N/A

Source: EDR, Inc.  
Telephone: N/A  
Last EDR Contact: N/A  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: Varies

EDR Hist Cleaner: EDR Exclusive Historical Cleaners

EDR has searched selected national collections of business directories and has collected listings of potential dry cleaner sites that were available to EDR researchers. EDR's review was limited to those categories of sources that might, in EDR's opinion, include dry cleaning establishments. The categories reviewed included, but were not limited to dry cleaners, cleaners, laundry, laundromat, cleaning/laundry, wash & dry etc. This database falls within a category of information EDR classifies as "High Risk Historical Records", or HRHR. EDR's HRHR effort presents unique and sometimes proprietary data about past sites and operations that typically create environmental concerns, but may not show up in current government records searches.

Date of Government Version: N/A  
Date Data Arrived at EDR: N/A  
Date Made Active in Reports: N/A  
Number of Days to Update: N/A

Source: EDR, Inc.  
Telephone: N/A  
Last EDR Contact: N/A  
Next Scheduled EDR Contact: N/A  
Data Release Frequency: Varies

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## EDR RECOVERED GOVERNMENT ARCHIVES

### ***Exclusive Recovered Govt. Archives***

#### RGA HWS: Recovered Government Archive State Hazardous Waste Facilities List

The EDR Recovered Government Archive State Hazardous Waste database provides a list of SHWS incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Health and Environmental Control in South Carolina.

Date of Government Version: N/A	Source: Department of Health and Environmental Control
Date Data Arrived at EDR: 07/01/2013	Telephone: N/A
Date Made Active in Reports: 01/03/2014	Last EDR Contact: 06/01/2012
Number of Days to Update: 186	Next Scheduled EDR Contact: N/A
	Data Release Frequency: Varies

#### RGA LF: Recovered Government Archive Solid Waste Facilities List

The EDR Recovered Government Archive Landfill database provides a list of landfills derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Health and Environmental Control in South Carolina.

Date of Government Version: N/A	Source: Department of Health and Environmental Control
Date Data Arrived at EDR: 07/01/2013	Telephone: N/A
Date Made Active in Reports: 01/15/2014	Last EDR Contact: 06/01/2012
Number of Days to Update: 198	Next Scheduled EDR Contact: N/A
	Data Release Frequency: Varies

#### RGA LUST: Recovered Government Archive Leaking Underground Storage Tank

The EDR Recovered Government Archive Leaking Underground Storage Tank database provides a list of LUST incidents derived from historical databases and includes many records that no longer appear in current government lists. Compiled from Records formerly available from the Department of Health and Environmental Control in South Carolina.

Date of Government Version: N/A	Source: Department of Health and Environmental Control
Date Data Arrived at EDR: 07/01/2013	Telephone: N/A
Date Made Active in Reports: 01/03/2014	Last EDR Contact: 06/01/2012
Number of Days to Update: 186	Next Scheduled EDR Contact: N/A
	Data Release Frequency: Varies

## OTHER DATABASE(S)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

#### CT MANIFEST: Hazardous Waste Manifest Data

Facility and manifest data. Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a tsd facility.

Date of Government Version: 01/30/2020	Source: Department of Energy & Environmental Protection
Date Data Arrived at EDR: 01/30/2020	Telephone: 860-424-3375
Date Made Active in Reports: 03/09/2020	Last EDR Contact: 01/30/2020
Number of Days to Update: 39	Next Scheduled EDR Contact: 05/25/2020
	Data Release Frequency: No Update Planned

#### NJ MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 12/31/2018	Source: Department of Environmental Protection
Date Data Arrived at EDR: 04/10/2019	Telephone: N/A
Date Made Active in Reports: 05/16/2019	Last EDR Contact: 01/06/2020
Number of Days to Update: 36	Next Scheduled EDR Contact: 04/20/2020
	Data Release Frequency: Annually

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## NY MANIFEST: Facility and Manifest Data

Manifest is a document that lists and tracks hazardous waste from the generator through transporters to a TSD facility.

Date of Government Version: 01/01/2019  
Date Data Arrived at EDR: 05/01/2019  
Date Made Active in Reports: 06/21/2019  
Number of Days to Update: 51

Source: Department of Environmental Conservation  
Telephone: 518-402-8651  
Last EDR Contact: 01/31/2020  
Next Scheduled EDR Contact: 05/11/2020  
Data Release Frequency: Quarterly

## PA MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 06/30/2018  
Date Data Arrived at EDR: 07/19/2019  
Date Made Active in Reports: 09/10/2019  
Number of Days to Update: 53

Source: Department of Environmental Protection  
Telephone: 717-783-8990  
Last EDR Contact: 01/14/2020  
Next Scheduled EDR Contact: 04/07/2020  
Data Release Frequency: Annually

## RI MANIFEST: Manifest information

Hazardous waste manifest information

Date of Government Version: 12/31/2018  
Date Data Arrived at EDR: 10/02/2019  
Date Made Active in Reports: 12/10/2019  
Number of Days to Update: 69

Source: Department of Environmental Management  
Telephone: 401-222-2797  
Last EDR Contact: 02/18/2020  
Next Scheduled EDR Contact: 06/01/2020  
Data Release Frequency: Annually

## WI MANIFEST: Manifest Information

Hazardous waste manifest information.

Date of Government Version: 05/31/2018  
Date Data Arrived at EDR: 06/19/2019  
Date Made Active in Reports: 09/03/2019  
Number of Days to Update: 76

Source: Department of Natural Resources  
Telephone: N/A  
Last EDR Contact: 03/09/2020  
Next Scheduled EDR Contact: 06/22/2020  
Data Release Frequency: Annually

## Oil/Gas Pipelines

Source: Endeavor Business Media

Petroleum Bundle (Crude Oil, Refined Products, Petrochemicals, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)) N = Natural Gas Bundle (Natural Gas, Gas Liquids (LPG/NGL), and Specialty Gases (Miscellaneous)). This map includes information copyrighted by Endeavor Business Media. This information is provided on a best effort basis and Endeavor Business Media does not guarantee its accuracy nor warrant its fitness for any particular purpose. Such information has been reprinted with the permission of Endeavor Business Media.

## Electric Power Transmission Line Data

Source: Endeavor Business Media

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**Sensitive Receptors:** There are individuals deemed sensitive receptors due to their fragile immune systems and special sensitivity to environmental discharges. These sensitive receptors typically include the elderly, the sick, and children. While the location of all sensitive receptors cannot be determined, EDR indicates those buildings and facilities - schools, daycares, hospitals, medical centers, and nursing homes - where individuals who are sensitive receptors are likely to be located.

## AHA Hospitals:

Source: American Hospital Association, Inc.  
Telephone: 312-280-5991

The database includes a listing of hospitals based on the American Hospital Association's annual survey of hospitals.

## Medical Centers: Provider of Services Listing

Source: Centers for Medicare & Medicaid Services  
Telephone: 410-786-3000

A listing of hospitals with Medicare provider number, produced by Centers of Medicare & Medicaid Services, a federal agency within the U.S. Department of Health and Human Services.

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

### Nursing Homes

Source: National Institutes of Health

Telephone: 301-594-6248

Information on Medicare and Medicaid certified nursing homes in the United States.

### Public Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on elementary and secondary public education in the United States. It is a comprehensive, annual, national statistical database of all public elementary and secondary schools and school districts, which contains data that are comparable across all states.

### Private Schools

Source: National Center for Education Statistics

Telephone: 202-502-7300

The National Center for Education Statistics' primary database on private school locations in the United States.

### Daycare Centers: Child Day Care List

Source: Department of Social Services

Telephone: 803-898-7345

**Flood Zone Data:** This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.

Source: FEMA

Telephone: 877-336-2627

Date of Government Version: 2003, 2015

**NWI:** National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

### State Wetlands Data: Wetlands Inventory

Source: Department of Natural Resources

Telephone: 803-734-9494

### Current USGS 7.5 Minute Topographic Map

Source: U.S. Geological Survey

## **STREET AND ADDRESS INFORMATION**

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## GEOCHECK<sup>®</sup> - PHYSICAL SETTING SOURCE ADDENDUM

### TARGET PROPERTY ADDRESS

2045 SMITH ST  
2045 SMITH ST  
COLUMBIA, SC 29209

### TARGET PROPERTY COORDINATES

Latitude (North):	33.947331 - 33° 56' 50.39"
Longitude (West):	80.970188 - 80° 58' 12.68"
Universal Tranverse Mercator:	Zone 17
UTM X (Meters):	502754.8
UTM Y (Meters):	3756122.2
Elevation:	162 ft. above sea level

### USGS TOPOGRAPHIC MAP

Target Property Map:	6064345 FORT JACKSON SOUTH, SC
Version Date:	2014

EDR's GeoCheck Physical Setting Source Addendum is provided to assist the environmental professional in forming an opinion about the impact of potential contaminant migration.

Assessment of the impact of contaminant migration generally has two principle investigative components:

1. Groundwater flow direction, and
2. Groundwater flow velocity.

Groundwater flow direction may be impacted by surface topography, hydrology, hydrogeology, characteristics of the soil, and nearby wells. Groundwater flow velocity is generally impacted by the nature of the geologic strata.

# GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

## GROUNDWATER FLOW DIRECTION INFORMATION

Groundwater flow direction for a particular site is best determined by a qualified environmental professional using site-specific well data. If such data is not reasonably ascertainable, it may be necessary to rely on other sources of information, such as surface topographic information, hydrologic information, hydrogeologic data collected on nearby properties, and regional groundwater flow information (from deep aquifers).

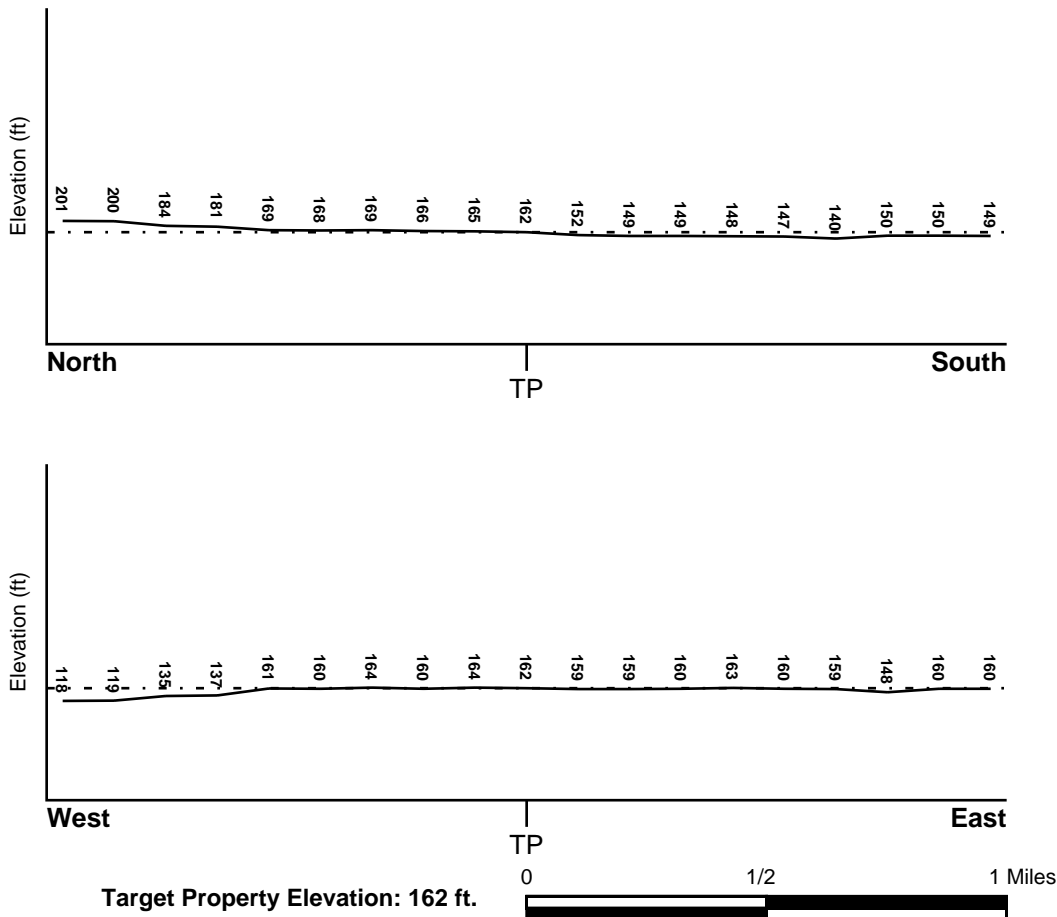
## TOPOGRAPHIC INFORMATION

Surface topography may be indicative of the direction of surficial groundwater flow. This information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

## TARGET PROPERTY TOPOGRAPHY

General Topographic Gradient: General South

## SURROUNDING TOPOGRAPHY: ELEVATION PROFILES



Source: Topography has been determined from the USGS 7.5' Digital Elevation Model and should be evaluated on a relative (not an absolute) basis. Relative elevation information between sites of close proximity should be field verified.

# GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

## HYDROLOGIC INFORMATION

Surface water can act as a hydrologic barrier to groundwater flow. Such hydrologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

Refer to the Physical Setting Source Map following this summary for hydrologic information (major waterways and bodies of water).

## **FEMA FLOOD ZONE**

<u>Flood Plain Panel at Target Property</u>	<u>FEMA Source Type</u>
45079C0178G	FEMA Q3 Flood data
<u>Additional Panels in search area:</u>	<u>FEMA Source Type</u>
45079C0379K	FEMA FIRM Flood data
45079C0190G	FEMA Q3 Flood data

## **NATIONAL WETLAND INVENTORY**

<u>NWI Quad at Target Property</u>	<u>NWI Electronic</u>
FORT JACKSON SOUTH	<u>Data Coverage</u>
	YES - refer to the Overview Map and Detail Map

## HYDROGEOLOGIC INFORMATION

Hydrogeologic information obtained by installation of wells on a specific site can often be an indicator of groundwater flow direction in the immediate area. Such hydrogeologic information can be used to assist the environmental professional in forming an opinion about the impact of nearby contaminated properties or, should contamination exist on the target property, what downgradient sites might be impacted.

## **AQUIFLOW®**

Search Radius: 1.000 Mile.

EDR has developed the AQUIFLOW Information System to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted by environmental professionals to regulatory authorities at select sites and has extracted the date of the report, groundwater flow direction as determined hydrogeologically, and the depth to water table.

<u>MAP ID</u>	<u>LOCATION FROM TP</u>	<u>GENERAL DIRECTION GROUNDWATER FLOW</u>
8	1/2 - 1 Mile WSW	Not Reported
1G	1/2 - 1 Mile WSW	Not Reported

For additional site information, refer to Physical Setting Source Map Findings.



## GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

### GROUNDWATER FLOW VELOCITY INFORMATION

Groundwater flow velocity information for a particular site is best determined by a qualified environmental professional using site specific geologic and soil strata data. If such data are not reasonably ascertainable, it may be necessary to rely on other sources of information, including geologic age identification, rock stratigraphic unit and soil characteristics data collected on nearby properties and regional soil information. In general, contaminant plumes move more quickly through sandy-gravelly types of soils than silty-clayey types of soils.

### GEOLOGIC INFORMATION IN GENERAL AREA OF TARGET PROPERTY

Geologic information can be used by the environmental professional in forming an opinion about the relative speed at which contaminant migration may be occurring.

#### **ROCK STRATIGRAPHIC UNIT**

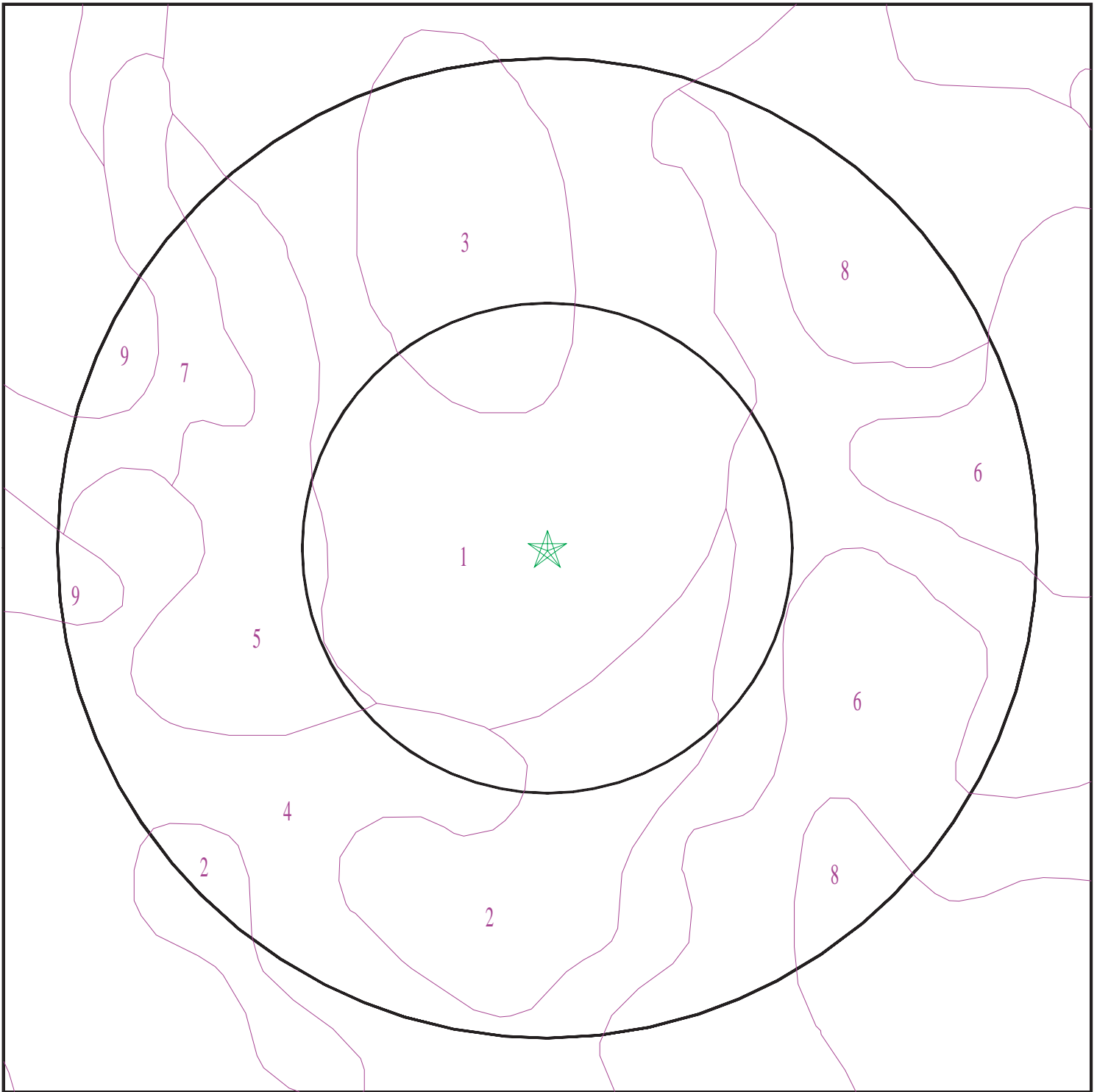
Era: Mesozoic  
System: Cretaceous  
Series: Woodbine and Tuscaloosa Groups  
Code: uK1 (*decoded above as Era, System & Series*)

#### **GEOLOGIC AGE IDENTIFICATION**

Category: Stratified Sequence

Geologic Age and Rock Stratigraphic Unit Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - a digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

# SSURGO SOIL MAP - 6020400.2s



- ★ Target Property
- ∩ SSURGO Soil
- ∩ Water



SITE NAME: 2045 Smith St  
ADDRESS: 2045 Smith St  
Columbia SC 29209  
LAT/LONG: 33.947331 / 80.970188

CLIENT: SUMMIT Engineering, Laboratory & Testing, PC  
CONTACT: M. Zavislak  
INQUIRY #: 6020400.2s  
DATE: March 24, 2020 10:11 am

# GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

## DOMINANT SOIL COMPOSITION IN GENERAL AREA OF TARGET PROPERTY

The U.S. Department of Agriculture's (USDA) Soil Conservation Service (SCS) leads the National Cooperative Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. The following information is based on Soil Conservation Service SSURGO data.

### Soil Map ID: 1

Soil Component Name: Norfolk

Soil Surface Texture: loamy sand

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Well drained

Hydric Status: Partially hydric

Corrosion Potential - Uncoated Steel: Moderate

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 122 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	9 inches	loamy sand	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand.	Max: 14 Min: 4	Max: 5.5 Min: 4.5
2	9 inches	16 inches	loamy sand	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand.	Max: 14 Min: 4	Max: 5.5 Min: 4.5
3	16 inches	85 inches	sandy clay loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand.	Max: 14 Min: 4	Max: 5.5 Min: 4.5

## GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

**Soil Map ID: 2**

Soil Component Name: Goldsboro

Soil Surface Texture: sandy loam

Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Moderately well drained

Hydric Status: Partially hydric

Corrosion Potential - Uncoated Steel: Moderate

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 76 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	12 inches	18 inches	sandy loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand.	Max: 14 Min: 4	Max: 5.5 Min: 3.6
2	0 inches	7 inches	sandy loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand.	Max: 14 Min: 4	Max: 5.5 Min: 3.6
3	64 inches	79 inches	sandy loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand.	Max: 14 Min: 4	Max: 5.5 Min: 3.6
4	7 inches	12 inches	sandy loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand.	Max: 14 Min: 4	Max: 5.5 Min: 3.6

## GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
5	18 inches	64 inches	sandy clay loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand.	Max: 14 Min: 4	Max: 5.5 Min: 3.6

### Soil Map ID: 3

Soil Component Name: Coxville

Soil Surface Texture: fine sandy loam

Hydrologic Group: Class D - Very slow infiltration rates. Soils are clayey, have a high water table, or are shallow to an impervious layer.

Soil Drainage Class: Poorly drained

Hydric Status: All hydric

Corrosion Potential - Uncoated Steel: High

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	7 inches	fine sandy loam	Not reported	FINE-GRAINED SOILS, Silts and Clays (liquid limit 50% or more), Fat Clay.	Max: 4 Min: 1.4	Max: 5.5 Min: 3.6
2	64 inches	79 inches	sandy clay loam	Not reported	FINE-GRAINED SOILS, Silts and Clays (liquid limit 50% or more), Fat Clay.	Max: 4 Min: 1.4	Max: 5.5 Min: 3.6

## GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
3	7 inches	9 inches		Not reported	FINE-GRAINED SOILS, Silts and Clays (liquid limit 50% or more), Fat Clay.	Max: 4 Min: 1.4	Max: 5.5 Min: 3.6
4	9 inches	64 inches	sandy clay	Not reported	FINE-GRAINED SOILS, Silts and Clays (liquid limit 50% or more), Fat Clay.	Max: 4 Min: 1.4	Max: 5.5 Min: 3.6

### Soil Map ID: 4

Soil Component Name: Cantey

Soil Surface Texture: sandy loam

Hydrologic Group: Class D - Very slow infiltration rates. Soils are clayey, have a high water table, or are shallow to an impervious layer.

Soil Drainage Class: Poorly drained

Hydric Status: All hydric

Corrosion Potential - Uncoated Steel: High

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	5 inches	7 inches	sandy loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), silt.	Max: 14 Min: 4	Max: 6.5 Min: 3.6

## GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
2	7 inches	81 inches	clay	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), silt.	Max: 14 Min: 4	Max: 6.5 Min: 3.6
3	0 inches	5 inches	loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), silt.	Max: 14 Min: 4	Max: 6.5 Min: 3.6

### Soil Map ID: 5

Soil Component Name: Dothan

Soil Surface Texture:  
Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Moderate

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 91 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	7 inches		Not reported	Not reported	Max: 4 Min: 1.4	Max: 6 Min: 4.5

## GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
2	7 inches	16 inches		Not reported	Not reported	Max: 4 Min: 1.4	Max: 6 Min: 4.5
3	16 inches	37 inches		Not reported	Not reported	Max: 4 Min: 1.4	Max: 6 Min: 4.5
4	37 inches	77 inches		Not reported	Not reported	Max: 4 Min: 1.4	Max: 6 Min: 4.5

### Soil Map ID: 6

Soil Component Name: Clarendon

Soil Surface Texture: sandy loam

Hydrologic Group: Class C - Slow infiltration rates. Soils with layers impeding downward movement of water, or soils with moderately fine or fine textures.

Soil Drainage Class: Moderately well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Moderate

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 61 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	5 inches	sandy loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand.	Max: 4 Min: 1.4	Max: 5.5 Min: 4.5
2	5 inches	9 inches	sandy loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand.	Max: 4 Min: 1.4	Max: 5.5 Min: 4.5



## GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
3	9 inches	35 inches	sandy clay loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand.	Max: 4 Min: 1.4	Max: 5.5 Min: 4.5
4	35 inches	72 inches	sandy clay loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	COARSE-GRAINED SOILS, Sands, Sands with fines, Clayey sand.	Max: 4 Min: 1.4	Max: 5.5 Min: 4.5

**Soil Map ID: 7**

Soil Component Name: Rains

Soil Surface Texture: sandy loam

Hydrologic Group: Class B/D - Drained/undrained hydrology class of soils that can be drained and are classified.

Soil Drainage Class: Poorly drained

Hydric Status: All hydric

Corrosion Potential - Uncoated Steel: High

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 0 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	7 inches	sandy loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), silt.	Max: 42 Min: 14	Max: 6.5 Min: 3.6

## GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
2	11 inches	68 inches	sandy clay loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), silt.	Max: 42 Min: 14	Max: 6.5 Min: 3.6
3	7 inches	11 inches	sandy loam	Granular materials (35 pct. or less passing No. 200), Silty, or Clayey Gravel and Sand.	FINE-GRAINED SOILS, Silts and Clays (liquid limit less than 50%), silt.	Max: 42 Min: 14	Max: 6.5 Min: 3.6

**Soil Map ID: 8**

Soil Component Name: Dothan

Soil Surface Texture:  
Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Well drained

Hydric Status: Not hydric

Corrosion Potential - Uncoated Steel: Moderate

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 91 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	7 inches		Not reported	Not reported	Max: 4 Min: 1.4	Max: 6 Min: 4.5

## GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
2	7 inches	16 inches		Not reported	Not reported	Max: 4 Min: 1.4	Max: 6 Min: 4.5
3	16 inches	37 inches		Not reported	Not reported	Max: 4 Min: 1.4	Max: 6 Min: 4.5
4	37 inches	77 inches		Not reported	Not reported	Max: 4 Min: 1.4	Max: 6 Min: 4.5

### Soil Map ID: 9

Soil Component Name: Dothan

Soil Surface Texture:  
Hydrologic Group: Class B - Moderate infiltration rates. Deep and moderately deep, moderately well and well drained soils with moderately coarse textures.

Soil Drainage Class: Well drained

Hydric Status: Unknown

Corrosion Potential - Uncoated Steel: Moderate

Depth to Bedrock Min: > 0 inches

Depth to Watertable Min: > 91 inches

Soil Layer Information							
Layer	Boundary		Soil Texture Class	Classification		Saturated hydraulic conductivity micro m/sec	Soil Reaction (pH)
	Upper	Lower		AASHTO Group	Unified Soil		
1	0 inches	7 inches		Not reported	Not reported	Max: 4 Min: 1.4	Max: 6 Min: 4.5
2	7 inches	16 inches		Not reported	Not reported	Max: 4 Min: 1.4	Max: 6 Min: 4.5
3	16 inches	37 inches		Not reported	Not reported	Max: 4 Min: 1.4	Max: 6 Min: 4.5
4	37 inches	77 inches		Not reported	Not reported	Max: 4 Min: 1.4	Max: 6 Min: 4.5

# GEOCHECK® - PHYSICAL SETTING SOURCE SUMMARY

## LOCAL / REGIONAL WATER AGENCY RECORDS

EDR Local/Regional Water Agency records provide water well information to assist the environmental professional in assessing sources that may impact ground water flow direction, and in forming an opinion about the impact of contaminant migration on nearby drinking water wells.

## WELL SEARCH DISTANCE INFORMATION

<u>DATABASE</u>	<u>SEARCH DISTANCE (miles)</u>
Federal USGS	1.000
Federal FRDS PWS	Nearest PWS within 1 mile
State Database	1.000

## FEDERAL USGS WELL INFORMATION

<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
A1	USGS40001057987	0 - 1/8 Mile SSW
B4	USGS40001057990	1/8 - 1/4 Mile East

## FEDERAL FRDS PUBLIC WATER SUPPLY SYSTEM INFORMATION

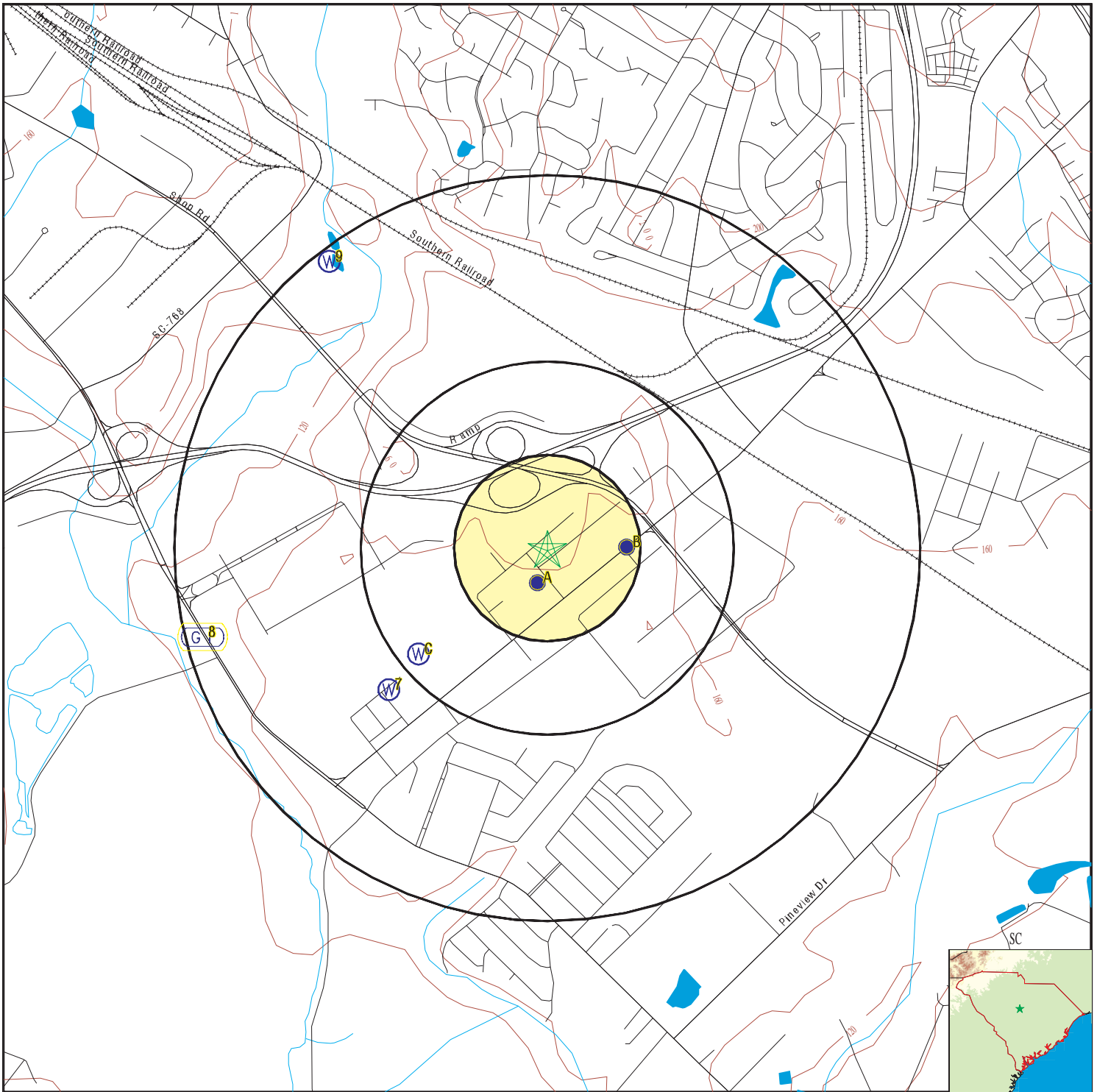
<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
No PWS System Found		

Note: PWS System location is not always the same as well location.

## STATE DATABASE WELL INFORMATION

<u>MAP ID</u>	<u>WELL ID</u>	<u>LOCATION FROM TP</u>
A2	SCWC50000012546	0 - 1/8 Mile SSW
B3	SCWC50000012545	1/8 - 1/4 Mile East
C5	SCWC50000012608	1/4 - 1/2 Mile SW
C6	SCWC50000012609	1/4 - 1/2 Mile SW
7	SCWC50000012607	1/2 - 1 Mile SW
9	SCWC50000012779	1/2 - 1 Mile NW

# PHYSICAL SETTING SOURCE MAP - 6020400.2s



- County Boundary
- Major Roads
- Contour Lines
- Earthquake epicenter, Richter 5 or greater
- Water Wells
- Public Water Supply Wells
- Cluster of Multiple Icons



- Groundwater Flow Direction
- Indeterminate Groundwater Flow at Location
- Groundwater Flow Varies at Location



SITE NAME: 2045 Smith St  
 ADDRESS: 2045 Smith St  
 Columbia SC 29209  
 LAT/LONG: 33.947331 / 80.970188

CLIENT: SUMMIT Engineering, Laboratory & Testing, PC  
 CONTACT: M. Zavislak  
 INQUIRY #: 6020400.2s  
 DATE: March 24, 2020 10:11 am

## GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID  
Direction  
Distance  
Elevation

Database      EDR ID Number

**A1**  
**SSW**  
**0 - 1/8 Mile**  
**Lower**

**FED USGS      USGS40001057987**

Organization ID:	USGS-SC		
Organization Name:	USGS South Carolina Water Science Center		
Monitor Location:	RIC- 160	Type:	Well
Description:	Data from SCDNR 2004 RASA 2004 database		
HUC:	Not Reported	Drainage Area:	Not Reported
Drainage Area Units:	Not Reported	Contrib Drainage Area:	Not Reported
Contrib Drainage Area Unts:	Not Reported	Aquifer:	Not Reported
Formation Type:	Not Reported	Aquifer Type:	Not Reported
Construction Date:	Not Reported	Well Depth:	64
Well Depth Units:	ft	Well Hole Depth:	Not Reported
Well Hole Depth Units:	Not Reported		

**A2**  
**SSW**  
**0 - 1/8 Mile**  
**Lower**

**SC WELLS      SCWC50000012546**

Database:	South Carolina Water Well Database		
Well #:	RIC-160	Elevation:	155
Well Use:	Public Supply	Well Depth:	0
Completion Depth:	64	Top Casing Diameter:	4
Bottom Casing Diameter:	0	Open Hole Casing Depth:	Not Reported
Top Screen Depth:	0	Bottom Screen Depth:	64
Year Completed:	0	Yield (g/m):	10
Year Yield Measured:	0	Geophysical Logs:	Not Reported
Driller Logs:	0	Pump Test Data:	0
Chemical Analysis:	Not Reported	Static Water Level:	Not Reported
Year SWL Measured:	0	Comments:	Not Reported

**B3**  
**East**  
**1/8 - 1/4 Mile**  
**Lower**

**SC WELLS      SCWC50000012545**

Database:	South Carolina Water Well Database		
Well #:	RIC-159	Elevation:	155
Well Use:	Public Supply	Well Depth:	0
Completion Depth:	28	Top Casing Diameter:	2
Bottom Casing Diameter:	0	Open Hole Casing Depth:	Not Reported
Top Screen Depth:	0	Bottom Screen Depth:	28
Year Completed:	0	Yield (g/m):	60
Year Yield Measured:	0	Geophysical Logs:	Not Reported
Driller Logs:	0	Pump Test Data:	0
Chemical Analysis:	Not Reported	Static Water Level:	Not Reported
Year SWL Measured:	0	Comments:	Not Reported

## GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID  
 Direction  
 Distance  
 Elevation

Database      EDR ID Number

**B4**  
**East**  
**1/8 - 1/4 Mile**  
**Lower**

**FED USGS      USGS40001057990**

Organization ID:	USGS-SC		
Organization Name:	USGS South Carolina Water Science Center		
Monitor Location:	RIC- 159	Type:	Well
Description:	Data from SCDNR 2004 RASA 2004 database		
HUC:	Not Reported	Drainage Area:	Not Reported
Drainage Area Units:	Not Reported	Contrib Drainage Area:	Not Reported
Contrib Drainage Area Unts:	Not Reported	Aquifer:	Not Reported
Formation Type:	Not Reported	Aquifer Type:	Not Reported
Construction Date:	Not Reported	Well Depth:	28
Well Depth Units:	ft	Well Hole Depth:	Not Reported
Well Hole Depth Units:	Not Reported		

**C5**  
**SW**  
**1/4 - 1/2 Mile**  
**Lower**

**SC WELLS      SCWC50000012608**

Database:	South Carolina Water Well Database		
Well #:	RIC-250	Elevation:	0
Well Use:	Unused	Well Depth:	0
Completion Depth:	68	Top Casing Diameter:	4
Bottom Casing Diameter:	0	Open Hole Casing Depth:	Not Reported
Top Screen Depth:	63	Bottom Screen Depth:	68
Year Completed:	0	Yield (g/m):	9
Year Yield Measured:	0	Geophysical Logs:	Not Reported
Driller Logs:	0	Pump Test Data:	0
Chemical Analysis:	Not Reported	Static Water Level:	Not Reported
Year SWL Measured:	0	Comments:	Not Reported

**C6**  
**SW**  
**1/4 - 1/2 Mile**  
**Lower**

**SC WELLS      SCWC50000012609**

Database:	South Carolina Water Well Database		
Well #:	RIC-251	Elevation:	0
Well Use:	Public Supply	Well Depth:	0
Completion Depth:	108	Top Casing Diameter:	0
Bottom Casing Diameter:	0	Open Hole Casing Depth:	Not Reported
Top Screen Depth:	0	Bottom Screen Depth:	108
Year Completed:	0	Yield (g/m):	25
Year Yield Measured:	0	Geophysical Logs:	Not Reported
Driller Logs:	0	Pump Test Data:	0
Chemical Analysis:	Not Reported	Static Water Level:	Not Reported
Year SWL Measured:	0	Comments:	Not Reported

## GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS

Map ID  
Direction  
Distance  
Elevation

Database      EDR ID Number

**7**  
**SW**  
**1/2 - 1 Mile**  
**Lower**      **SC WELLS**      **SCWC50000012607**

Database:	South Carolina Water Well Database		
Well #:	RIC-249	Elevation:	0
Well Use:	Public Supply	Well Depth:	0
Completion Depth:	22	Top Casing Diameter:	2
Bottom Casing Diameter:	0	Open Hole Casing Depth:	Not Reported
Top Screen Depth:	0	Bottom Screen Depth:	22
Year Completed:	0	Yield (g/m):	0
Year Yield Measured:	0	Geophysical Logs:	Not Reported
Driller Logs:	0	Pump Test Data:	0
Chemical Analysis:	Not Reported	Static Water Level:	Not Reported
Year SWL Measured:	0	Comments:	Not Reported

**8**  
**WSW**  
**1/2 - 1 Mile**  
**Lower**      **AQUIFLOW**      **41399**

Site ID:	U-40-NN-14795	
Groundwater Flow:	Not Reported	
Shallowest Water Table Depth:	Not Reported	
Deepest Water Table Depth:	Not Reported	
Average Water Table Depth:	11	
Date:	11/1996	

**9**  
**NW**  
**1/2 - 1 Mile**  
**Lower**      **SC WELLS**      **SCWC50000012779**

Database:	South Carolina Water Well Database		
Well #:	RIC-472	Elevation:	0
Well Use:	Industrial	Well Depth:	0
Completion Depth:	367	Top Casing Diameter:	0
Bottom Casing Diameter:	0	Open Hole Casing Depth:	Not Reported
Top Screen Depth:	0	Bottom Screen Depth:	0
Year Completed:	0	Yield (g/m):	55
Year Yield Measured:	0	Geophysical Logs:	Not Reported
Driller Logs:	0	Pump Test Data:	0
Chemical Analysis:	Not Reported	Static Water Level:	Not Reported
Year SWL Measured:	0	Comments:	Not Reported

**1G**  
**WSW**  
**1/2 - 1 Mile**  
**Lower**      **AQUIFLOW**      **41399**

Site ID:	U-40-NN-14795	
Groundwater Flow:	Not Reported	
Shallowest Water Table Depth:	Not Reported	
Deepest Water Table Depth:	Not Reported	
Average Water Table Depth:	11	
Date:	11/1996	



# GEOCHECK® - PHYSICAL SETTING SOURCE MAP FINDINGS RADON

## AREA RADON INFORMATION

State Database: SC Radon

### Radon Test Results

Zipcode	Average	Num Tests	Minimum	Maximum	% > 4 pCi/L
29209	1.1	72	0.3	6.7	1.4

Federal EPA Radon Zone for RICHLAND County: 3

- Note: Zone 1 indoor average level > 4 pCi/L.  
 : Zone 2 indoor average level >= 2 pCi/L and <= 4 pCi/L.  
 : Zone 3 indoor average level < 2 pCi/L.

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Federal Area Radon Information for Zip Code: 29209

Number of sites tested: 11

Area	Average Activity	% <4 pCi/L	% 4-20 pCi/L	% >20 pCi/L
Living Area - 1st Floor	0.873 pCi/L	100%	0%	0%
Living Area - 2nd Floor	Not Reported	Not Reported	Not Reported	Not Reported
Basement	-0.100 pCi/L	100%	0%	0%

# PHYSICAL SETTING SOURCE RECORDS SEARCHED

## TOPOGRAPHIC INFORMATION

### USGS 7.5' Digital Elevation Model (DEM)

Source: United States Geologic Survey

EDR acquired the USGS 7.5' Digital Elevation Model in 2002 and updated it in 2006. The 7.5 minute DEM corresponds to the USGS 1:24,000- and 1:25,000-scale topographic quadrangle maps. The DEM provides elevation data with consistent elevation units and projection.

### Current USGS 7.5 Minute Topographic Map

Source: U.S. Geological Survey

## HYDROLOGIC INFORMATION

Flood Zone Data: This data was obtained from the Federal Emergency Management Agency (FEMA). It depicts 100-year and 500-year flood zones as defined by FEMA. It includes the National Flood Hazard Layer (NFHL) which incorporates Flood Insurance Rate Map (FIRM) data and Q3 data from FEMA in areas not covered by NFHL.

Source: FEMA

Telephone: 877-336-2627

Date of Government Version: 2003, 2015

NWI: National Wetlands Inventory. This data, available in select counties across the country, was obtained by EDR in 2002, 2005 and 2010 from the U.S. Fish and Wildlife Service.

### State Wetlands Data: Wetlands Inventory

Source: Department of Natural Resources

Telephone: 803-734-9494

## HYDROGEOLOGIC INFORMATION

### AQUIFLOW<sup>R</sup> Information System

Source: EDR proprietary database of groundwater flow information

EDR has developed the AQUIFLOW Information System (AIS) to provide data on the general direction of groundwater flow at specific points. EDR has reviewed reports submitted to regulatory authorities at select sites and has extracted the date of the report, hydrogeologically determined groundwater flow direction and depth to water table information.

## GEOLOGIC INFORMATION

### Geologic Age and Rock Stratigraphic Unit

Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - A digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

### STATSGO: State Soil Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)

The U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) leads the national Conservation Soil Survey (NCSS) and is responsible for collecting, storing, maintaining and distributing soil survey information for privately owned lands in the United States. A soil map in a soil survey is a representation of soil patterns in a landscape. Soil maps for STATSGO are compiled by generalizing more detailed (SSURGO) soil survey maps.

### SSURGO: Soil Survey Geographic Database

Source: Department of Agriculture, Natural Resources Conservation Service (NRCS)

Telephone: 800-672-5559

SSURGO is the most detailed level of mapping done by the Natural Resources Conservation Service, mapping scales generally range from 1:12,000 to 1:63,360. Field mapping methods using national standards are used to construct the soil maps in the Soil Survey Geographic (SSURGO) database. SSURGO digitizing duplicates the original soil survey maps. This level of mapping is designed for use by landowners, townships and county natural resource planning and management.

# PHYSICAL SETTING SOURCE RECORDS SEARCHED

## LOCAL / REGIONAL WATER AGENCY RECORDS

### FEDERAL WATER WELLS

#### PWS: Public Water Systems

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Public Water System data from the Federal Reporting Data System. A PWS is any water system which provides water to at least 25 people for at least 60 days annually. PWSs provide water from wells, rivers and other sources.

#### PWS ENF: Public Water Systems Violation and Enforcement Data

Source: EPA/Office of Drinking Water

Telephone: 202-564-3750

Violation and Enforcement data for Public Water Systems from the Safe Drinking Water Information System (SDWIS) after August 1995. Prior to August 1995, the data came from the Federal Reporting Data System (FRDS).

#### USGS Water Wells: USGS National Water Inventory System (NWIS)

This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on wells, springs, and other sources of groundwater.

### STATE RECORDS

#### South Carolina Water Well Database

Source: Department of Natural Resources

Telephone: 803-734-6440

Water wells in the Coastal Plain counties of South Carolina.

#### Water Well Database

Source: Department of Natural Resources

Telephone: 864-654-1671

A listing of water wells in the Piedmont (upstate) counties.

## OTHER STATE DATABASE INFORMATION

### RADON

#### State Database: SC Radon

Source: Department of Health & Environmental Control

Telephone: 864-241-1090

Radon Test Results by Zip Code

#### Area Radon Information

Source: USGS

Telephone: 703-356-4020

The National Radon Database has been developed by the U.S. Environmental Protection Agency (USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

#### EPA Radon Zones

Source: EPA

Telephone: 703-356-4020

Sections 307 & 309 of IRAA directed EPA to list and identify areas of U.S. with the potential for elevated indoor radon levels.

### OTHER

#### Airport Landing Facilities: Private and public use landing facilities

Source: Federal Aviation Administration, 800-457-6656

#### Epicenters: World earthquake epicenters, Richter 5 or greater

Source: Department of Commerce, National Oceanic and Atmospheric Administration

Earthquake Fault Lines: The fault lines displayed on EDR's Topographic map are digitized quaternary faultlines, prepared in 1975 by the United State Geological Survey

# PHYSICAL SETTING SOURCE RECORDS SEARCHED

## STREET AND ADDRESS INFORMATION

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APPENDIX IV  
DEED & TAX INFORMATION

**Assessor Data View**

The information provided on this page reflects data as of December 31, 2019 and should be used for reference only. For official assessment information, please contact the Richland County Assessor's Office.

Information presented on the Assessor's Database is collected, organized and provided for the convenience of the user and is intended solely for informational purposes. **ANY USER THEREOF OR RELIANCE THEREON IS AT THE SOLE DISCRETION, RISK AND RESPONSIBILITY OF THE USER.** While every attempt is made to provide information that is accurate at the date of publication, portions of such information may be incorrect or not current. **RICHLAND COUNTY HEREBY DISCLAIMS ANY AND ALL WARRANTIES, EXPRESS OR IMPLIED, AS TO ITS ACCURACY, COMPLETENESS OR FITNESS FOR ANY PARTICULAR PURPOSE.** All official records of the County and the countywide elected officials are on file in their respective offices and may be viewed by the public at those offices.

**Owner Information**

Tax Map Number:

Owner:

Address 1:

Address 2:

Address 3:

City/State/Zip:

Property Location/Code:

**Tax Information**

Year:

Property Tax Relief:

Local Option Sales Tax Credit:

Tax Amount:

Paid:

Homestead:

Assessed:

**Assessment Information**

Year Of Assessment:  Legal Residence:

Tax District:  Sewer Connection:

Acreage Of Parcel:  Water Connection:

Non-Agriculture Value:  Agriculture Value:

Building Value:  Improvements:

Taxable Value:

Zoning:

**Property Information**

Legal Description:

Land Type:

**Transaction History**

Current Owner Name	Transaction Date	V/I	Book/Page	Transaction Price	Qual Code
ATLAS ROAD COMMUNITY	07/09/2015	V	R2041/ 2791	**SEE DEED	A

SMITH JEROME E	03/04/1997	I	D1368/ 422	**SEE DEED	2
----------------	------------	---	------------	------------	---

\*\* Where transaction price states **\*\*SEE DEED** a copy of the deed may be obtained from the Richland County Register of Deeds Office located at 1701 Main Street Room 101 Columbia, SC 29201 or via registering with the [Richland County Premier Online Data Services.\\*\\*](#)

[Qualification Code Definitions](#)

**Structure Information**

Building Number	Year Structure Was Assessed	Building Description	Actual Year Built	Number Of Bathrooms	Number Of Bedrooms	Total Number Of Stories	Heated Square Footage	Total Square Footage
-----------------	-----------------------------	----------------------	-------------------	---------------------	--------------------	-------------------------	-----------------------	----------------------

**Structure Details**

Structure Type	Structure Description	Building Number
----------------	-----------------------	-----------------

**Exemptions**

Exemption Year	Exemption Description
2016	TAX EXEMPT
2017	TAX EXEMPT
2018	TAX EXEMPT

APPENDIX V  
ENVIRONMENTAL QUESTIONNAIRE



# PHASE I: KEY SITE MANAGER/OWNER QUESTIONNAIRE



Name of person completing questionnaire: Judy Cunningham  
 Association with property: President of organization  
 Length of association with property: \_\_\_\_\_  
 Are you a representative of the Owner?: yes  
 Phone Number: 803 466-5189  
 Property Name: Richland County TM #R13516-03-21  
 Address: 2045 Smith Street, Columbia, SC  
 Signature: Judy Cunningham Date: 4/23/20

**Directions:** Please answer all questions to the best of your knowledge and in good faith. Mark the column corresponding to the appropriate response. Additional details necessary to explain any **yes or unknown responses** should be provided in the "Comments" column.

QUESTION		RESPONSE			COMMENTS
		Y	N	Unk	
1	Are the Property or any adjoining properties currently or previously in industrial use?		✓		
2	Have the Property or adjoining properties currently or previously been used as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility?		✓		
3	Are there currently or previously any automotive or industrial batteries, pesticides, paints, or other chemicals in individual containers of greater than five gallons in volume or fifty gallons in the aggregate, stored on or used at the Property?		✓		
4	Are there currently or have there been previously any industrial drums (typically 55 gallon) or sacks of chemicals located on the Property?			✓	
5	Are there currently or previous any groundwater monitoring wells or other groundwater wells (i.e., potable drinking water wells) located on the Property?			✓	
6	Are there currently or previously any pits, ponds, or lagoons located on the Property in connection with waste treatment or waste disposal?			✓	
7	Are there any significant areas of stained soil on the Property (currently or previously)?			✓	

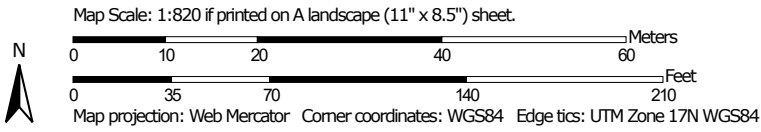
QUESTION		RESPONSE			COMMENTS
		Y	N	Unk	
8	Are there currently or previously any storage tanks (above or underground) located on the Property? If so, please indicate the material stored and if the tank is registered. (tanks for gasoline/diesel or heating fuel, oil water separators and tanks for hydraulic fluid for automotive lifts, etc.)			✓	
9	Are there currently or previously any vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground on the Property or adjacent to any structure located on the Property?			✓	
10	Are there currently or previously any flooring, drains, or walls located at the Property that are stained by substances other than water or are emitting foul odors?			✓	
11	If the Property is served by a private well or non-public water system, have contaminants been identified in the well or system that exceed guidelines applicable to the water system? Has the well been designated as contaminated by any government environmental/health agency?			✓	
12	Have you been informed of the past existence of hazardous substances or petroleum products with respect to the Property or any facility located on the Property?		✓		
13	Have there been any environmental site assessments of the Property that indicated the presence of hazardous substances or petroleum products on, or contamination of, the Property or recommended further assessment of the Property?			✓	
14	Does the Property discharge waste water on or adjacent to the Property, other than storm water, into a storm water sewer system?		✓		
15	Have any hazardous substances or petroleum products, unidentified waste materials, tires, automotive or industrial batteries, or any other waste materials been dumped above grade, buried, and/or burned on the Property?			✓	
16	Is there a transformer, capacitor, or any hydraulic equipment for which there are any records indicating the presence of PCBs?			✓	
17	Is there now or has there ever been any asbestos-containing materials (ACM), in any application, on the Property?			✓	
18	Has there ever been any asbestos-containing materials testing conducted on the Property?			✓	
19	Is there an Asbestos Operations and Maintenance (O&M) program in place at the Property? Has there ever been asbestos testing conducted on the Property?			✓	
20	Is there now or has there ever been any lead-based paint (LBP) applications on the Property?			✓	
21	Has there ever been lead-based paint testing conducted on the Property?			✓	
22	Is there a Lead Paint Operations and Maintenance (O&M) Program in place at the Property?			✓	

QUESTION		RESPONSE			COMMENTS
		Y	N	Unk	
23	Has the water at the Property ever been tested for lead?			✓	
24	Has radon testing ever been conducted at the Property?			✓	
25	Has any part of the Property ever contained visible mold growth?			✓	
26	Has there ever been any sort of Indoor Air Quality (IAQ) or mold testing conducted in the building(s)?			✓	
27	Is there a Mold Operations and Maintenance (O&M) program in place at the Property?			✓	
28	Are there any other Operations and Maintenance (O&M) programs in place that we should be made aware of? If so, please provide details.			✓	
29	Has fill dirt been brought onto the Property which originated from a contaminated site or is of an unknown origin?			✓	
30	Is the Property or any portion of the Property located or involved in any environmentally sensitive areas (i.e., wetlands, coastal barrier resource areas, coastal barrier improvement act areas, flood plains, endangered species)?			✓	
31	Have you been informed of the past existence of environmental violations with respect to the Property or any facility located on the Property?		✓		
32	Are there any environmental liens or governmental notification relating to past or current violations of environmental laws with respect to the Property or any facility located on the Property?			✓	
33	Are you aware of any pending, threatened, or past litigation relevant to hazardous substances or petroleum products in, on or from the Property?		✓		
34	Are you aware of any pending, threatened, or past administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the Property?		✓		
35	Are you aware of any notices from any governmental entity regarding any possible violation or environmental laws or possible liability relating to hazardous substances or petroleum products?		✓		
Summarize historical Property use (when was the Property developed with the current improvements, what modifications have taken place, what was the Property used for prior to its current use)					
<b>On the day of the site visit, provide Summit's Project Manager access to all of the available documents listed below. If the information is not readily available, you can also provide this information at a later date, via email. (if applicable)</b>					
<ul style="list-style-type: none"> <li>▪ Previous Environmental Site Assessment and Compliance Audit reports</li> <li>▪ Site plans, ALTA surveys, etc.</li> <li>▪ Asbestos, Lead Based Paint, Mold Operations and Maintenance Programs (O&amp;Ms)</li> <li>▪ Environmental permits, including registrations for aboveground and underground storage tanks and registrations for underground injection systems</li> </ul>					

QUESTION	RESPONSE			COMMENTS
	Y	N	Unk	
<ul style="list-style-type: none"> <li>▪ Material Safety Data Sheets</li> <li>▪ Hazardous waste generator notices or reports</li> <li>▪ Community Right-to-Know Plan, Risk Assessments, Safety plans, SPCC plans, FRP Plans, etc.</li> <li>▪ Reports regarding hydrogeological conditions on the Property or adjoining properties</li> <li>▪ Notices from government agencies regarding past or current violations of environmental laws</li> <li>▪ Environmental liens and recorded Activity and Use Limitations</li> <li>▪ Geotechnical surveys</li> </ul>				

APPENDIX VI  
SUPPORTING DOCUMENTS

Soil Map—Richland County, South Carolina



### MAP LEGEND

**Area of Interest (AOI)**

 Area of Interest (AOI)

**Soils**

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

**Special Point Features**



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

**Water Features**



Streams and Canals

**Transportation**



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

**Background**



Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

**Warning:** Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Richland County, South Carolina  
 Survey Area Data: Version 21, Sep 16, 2019

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

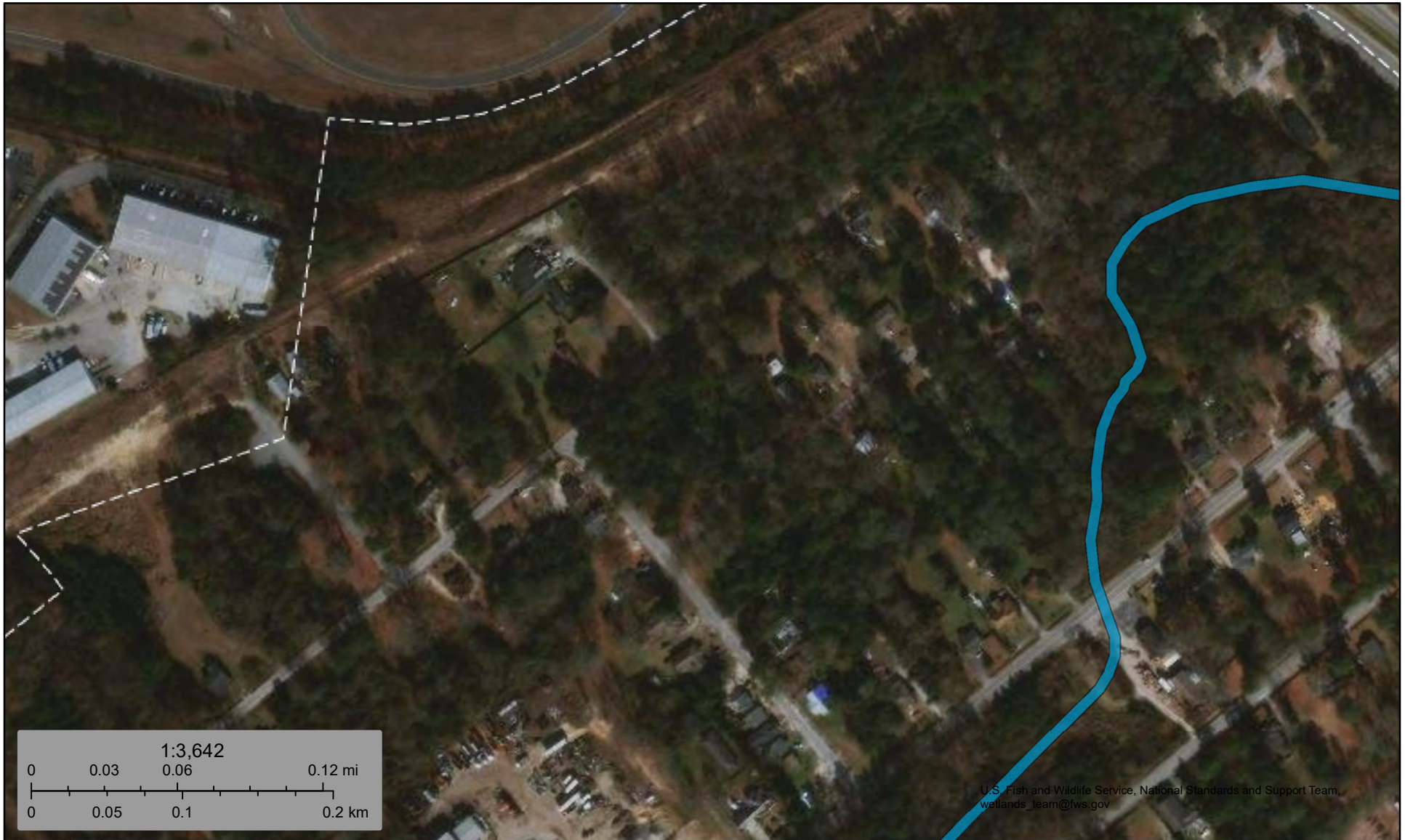
Date(s) aerial images were photographed: Apr 23, 2019—Apr 27, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
NoA	Norfolk loamy sand, 0 to 2 percent slopes	1.1	100.0%
<b>Totals for Area of Interest</b>		<b>1.1</b>	<b>100.0%</b>





U.S. Fish and Wildlife Service, National Standards and Support Team,  
wetlands\_team@fws.gov

May 4, 2020

**Wetlands**

- Estuarine and Marine Deepwater
- Freshwater Emergent Wetland
- Lake
- Estuarine and Marine Wetland
- Freshwater Forested/Shrub Wetland
- Other
- Freshwater Pond
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

**NOTES TO USERS**

This map is for use in administering the National Flood Insurance Program. It does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size. The community map repository should be consulted for sources of small size. The community map repository should be consulted for sources of small size. The community map repository should be consulted for sources of small size.

To obtain more detailed information in areas where Base Flood Elevations (BFEs) and/or floodways have been determined, users are encouraged to consult the Flood Profiles and Floodway Data and/or Summary of Stillwater Elevations tables contained within the Flood Insurance Study (FIS) report that accompanies this FIRM. Users should be aware that BFEs shown on the FIRM represent rounded whole-foot elevations. These BFEs are intended for flood insurance rating purposes only and should not be used as the sole source of flood elevation information. Accordingly, flood elevation data presented in the FIS report should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

**Coastal Base Flood Elevations (BFEs)** shown on this map apply only landward of 0.0' North American Vertical Datum of 1988 (NAVD 88). Users of this FIRM should be aware that coastal flood elevations are also provided in the Summary of Stillwater Elevations table in the Flood Insurance Study report for this jurisdiction. Elevations shown in the Summary of Stillwater Elevations table should be used for construction and/or floodplain management purposes when they are higher than the elevations shown on this FIRM.

Boundaries of the floodways were computed at cross sections and interpolated between cross sections. The floodways were based on hydraulic considerations with regard to requirements of the National Flood Insurance Program. Floodway widths and other pertinent floodway data are provided in the Flood Insurance Study report for this jurisdiction.

Certain areas not in Special Flood Hazard Areas may be protected by flood control structures. Refer to Section 2.4 "Flood Protection Measures" of the Flood Insurance Study report for information on flood control structures for this jurisdiction.

The projection used in the preparation of this map was Lambert Conformal Conic State Plane South Carolina FIPS 3900. The horizontal datum was NAD83, GRS1980 spheroid. Differences in datum, spheroid, projection or State Plane zones used in the production of FIRMs for adjacent jurisdictions may result in slight positional differences in map features across jurisdiction boundaries. These differences do not affect the accuracy of this FIRM.

Flood elevations on this map are referenced to the North American Vertical Datum of 1988. These flood elevations must be compared to structure and ground elevations referenced to the same vertical datum. For information regarding conversion between the National Geodetic Vertical Datum of 1929 and the North American Vertical Datum of 1988, visit the National Geodetic Survey website at <http://www.ngs.noaa.gov> or contact the National Geodetic Survey at the following address:

NGS Information Services  
 NOAA, NIMS12  
 National Geodetic Survey  
 SSMC-3, #9202  
 1315 East-West Highway  
 Silver Spring, Maryland 20910-3282  
 (301) 713-3242

To obtain current elevation, description, and/or location information for bench marks shown on this map, please contact the Information Services Branch of the National Geodetic Survey at (301) 713-3242 or visit its website at <http://www.ngs.noaa.gov>.

Base map information shown on this FIRM was provided in digital format by Richland County, South Carolina.

This map reflects more detailed and up-to-date stream channel configurations than those shown on the previous FIRM for this jurisdiction. The floodplains and floodways that were transferred from the previous FIRM may have been adjusted to conform to these new stream channel configurations. As a result, the Flood Profiles and Floodway Data tables in the Flood Insurance Study report (which contains authoritative hydraulic data) may reflect stream channel distances that differ from what is shown on this map.

Corporate limits shown on this map are based on the best data available at the time of publication. Because changes due to annexations or de-annexations may have occurred after this map was published, map users should contact appropriate community officials to verify current corporate limit locations.

Please refer to the separately printed **Map Index** for an overview map of the county showing the layout of map panels, community map repository addresses; and a Listing of Communities table containing National Flood Insurance Program dates for each community as well as a listing of the panels on which each community is located.

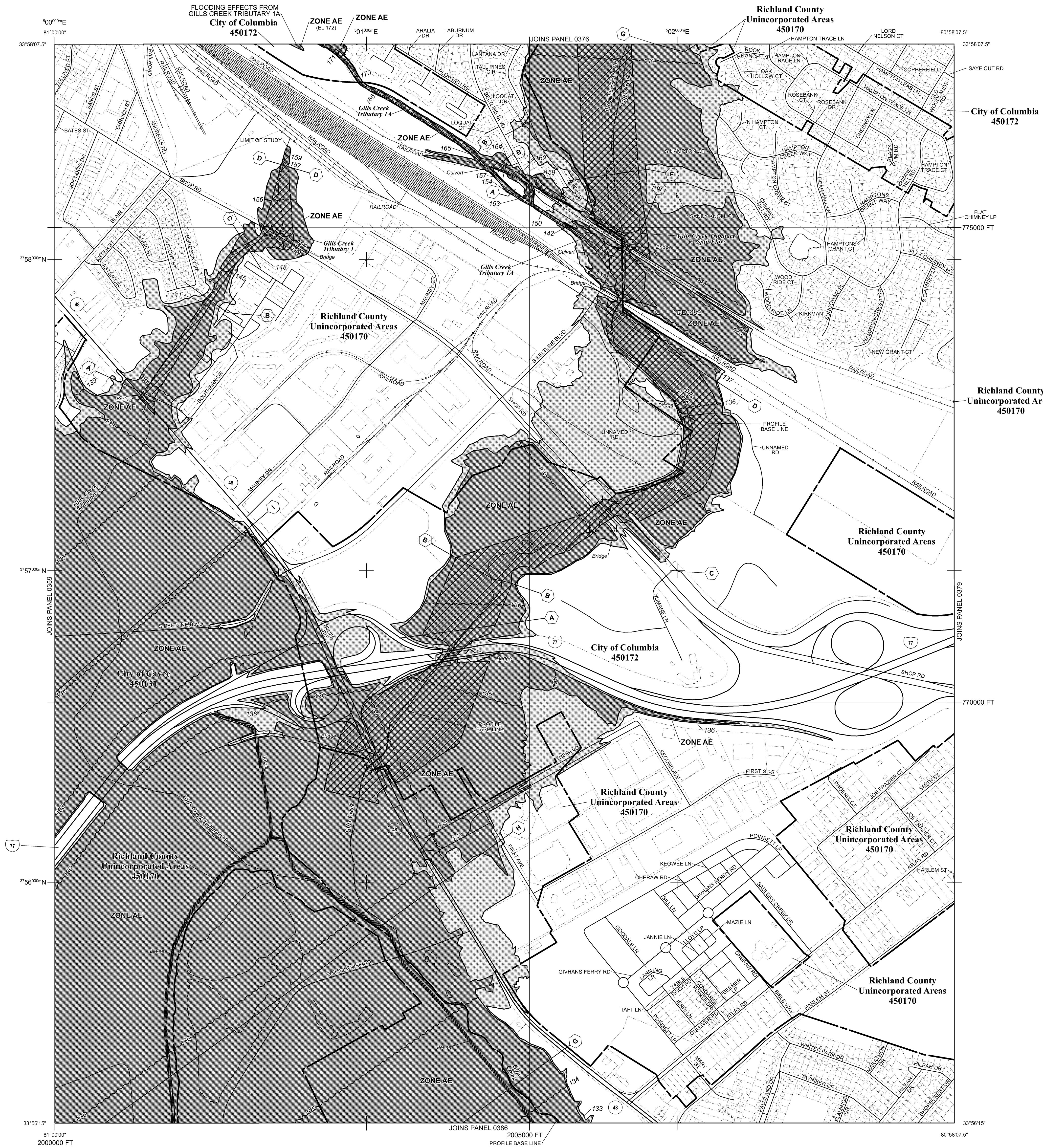
For information and questions about this map, available products associated with this FIRM including historic versions of this FIRM, how to order products or the National Flood Insurance Program in general, please call the **FEMA Mapping Information eXchange** at 1-877-FEMA-MAP (1-877-336-2627) or visit the FEMA Map Service website at <http://www.msc.fema.gov>. Available products may include previously issued Letters of Map Change, a Flood Insurance Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website. Users may determine the current map date for each FIRM panel by visiting the FEMA Map Service Center website or by calling the FEMA Map Information eXchange.

The **profile base lines** depicted on this map represent the hydraulic modeling baselines that match the flood profiles in the FIS report. As a result of improved topographic data, the profile base line, in some cases, may deviate significantly from the channel centerline or appear outside the SFHA.

**NON-ACCREDITED LEVEE SYSTEM NOTES TO USERS:** These levee systems do not meet the minimum requirements of Section 65.10 of the NFIP Regulations, and therefore flood hazard boundaries were determined by methods which were coordinated and reviewed with impacted communities and other stakeholders.

This digital Flood Insurance Rate Map (FIRM) was produced through a unique cooperative partnership between the State of South Carolina and the Federal Emergency Management Agency (FEMA). The State of South Carolina has implemented a long term approach of floodplain management to decrease the costs associated with flooding. This is demonstrated by the State's commitment to map floodplain areas at the local level. As a part of this effort, the State of South Carolina has joined in a Cooperating Technical State agreement with FEMA to produce and maintain this digital FIRM.

<http://www.dnr.state.sc.us/>



### LEGEND

**SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD**

The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V, and VE. The Base Flood Elevation is the water-surface elevation of the 1% annual chance flood.

- ZONE A** No Base Flood Elevations determined.
- ZONE AE** Base Flood Elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); Base Flood Elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding, velocities also determined.
- ZONE AR** Special Flood Hazard Area formerly protected from the 1% annual chance flood by a flood control system that was subsequently decertified. Zone AR indicates that the former flood control system is being restored to provide protection from the 1% annual chance or greater flood.
- ZONE A99** Areas to be protected from 1% annual chance flood event by a Federal flood protection system under construction; no Base Flood Elevations determined.
- ZONE V** Coastal flood zone with velocity hazard (wave action); no Base Flood Elevations determined.
- ZONE VE** Coastal flood zone with velocity hazard (wave action); Base Flood Elevations determined.

**FLOODWAY AREAS IN ZONE AE**

The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

**OTHER FLOOD AREAS**

- ZONE X** Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.

**OTHER AREAS**

- ZONE X** Areas determined to be outside the 0.2% annual chance floodplain.
- ZONE D** Areas in which flood hazards are undetermined, but possible.

**COASTAL BARRIER RESOURCES SYSTEM (CBRS) AREAS**

**OTHERWISE PROTECTED AREAS (OPAs)**

CBRS areas and OPAs are normally located within or adjacent to Special Flood Hazard Areas.

**BOUNDARIES**

- Floodplain boundary
- Floodway boundary
- Zone D boundary
- CBRS and OPA boundary
- Boundary dividing Special Flood Hazard Area Zones and boundary dividing Special Flood Hazard Areas of different Base Flood Elevations, flood depths, or flood velocities

**ELEVATIONS**

- Base Flood Elevation line and value; elevation in feet\*
- Base Flood Elevation value where uniform within zone; elevation in feet\*

\* Referenced to the North American Vertical Datum of 1988

**CROSS SECTION LINE**

Transsect line

Geographic coordinates referenced to the North American Datum of 1983 (NAD 83), Western Hemisphere

47°50'00"E  
 6000000 FT  
 DX5510 X

**MAP REPOSITORIES**

Refer to Map Repositories List on Map Index

**EFFECTIVE DATE OF COUNTYWIDE FLOOD INSURANCE RATE MAP**  
 January 19, 1994

**EFFECTIVE DATE(S) OF REVISION(S) TO THIS PANEL**  
 February 20, 2002  
 September 29, 2010

December 21, 2017 - to update corporate limits, to change Base Flood Elevations, to add Base Flood Elevations, to add Special Flood Hazard Areas, to change Special Flood Hazard Areas, to update map format, to add roads and road names, to reflect updated topographic information, and to incorporate previously issued Letters of Map Revision.

For community map revision history prior to countywide mapping, refer to the Community Map History table located in the Flood Insurance Study report for this jurisdiction.

To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

**MAP SCALE 1" = 500'**

250 0 250 500 750 1,000  
 150 0 150 300  
 FEET  
 METERS

**NATIONAL FLOOD INSURANCE PROGRAM**

**PANEL 0378L**

**FIRM**

**FLOOD INSURANCE RATE MAP**

**RICHLAND COUNTY, SOUTH CAROLINA AND INCORPORATED AREAS**

**PANEL 378 OF 650**

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

**CONTAINS:**

COMMUNITY	NUMBER	PANEL SUFFIX
CAYCE, CITY OF	450131	0378 L
COLUMBIA, CITY OF	450172	0378 L
RICHLAND COUNTY	450170	0378 L

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

**MAP NUMBER 45079C0378L**

**MAP REVISED DECEMBER 21, 2017**

Federal Emergency Management Agency