



# **RICHLAND COUNTY COUNCIL**

## **DEVELOPMENT AND SERVICES COMMITTEE**

Norman Jackson	Joyce Dickerson	Valerie Hutchinson (Chair)	Bill Malinowski	Kelvin Washington
District 11	District 2	District 9	District 1	District 10

**OCTOBER 25, 2011  
5:00 PM**

**2020 Hampton Street, Columbia, South Carolina**

### **CALL TO ORDER**

### **APPROVAL OF MINUTES**

1. Regular Session: September 27, 2011 (pages 5-7)

### **ADOPTION OF AGENDA**

### **ITEMS FOR ACTION**

2. Ordinance to Prohibit 'bath salts' and synthetic marijuana (pages 9-13)
3. Achieve SC State Solid Waste Diversion Rate of 35% within five years and develop a long range goal for zero waste (pages 15-17)

4. Expiring Solid Waste curbside collection contracts for areas 2 & 6 (pages 19-23)
5. Animal Care Ordinance Revisions (pages 25-36)
6. Decker Blvd/Woodfield Park Neighborhood Redevelopment Overlay District and the Corridor Redevelopment Overlay District (pages 38-42)
7. Review the process of the Development Review Team (pages 44-50)
8. Proposed Amendment to Settlement agreement with Northeast Landfill (pages 52-149)

**ITEMS PENDING ANALYSIS: NO ACTION REQUIRED**

9. a. Curfew for Community Safety (Manning-February 2010)
- b. Farmers Market Update (Council-May 2010)
- c. Review all Engineering and Architectural Drawing requirements to make sure there is no unnecessary charge or expense to citizens (Jackson-January 2010)
- d. Review Homeowner Association covenants by developers and the time frame for transfer and the strength of the contracts (Jackson-September 2010)
- e. To direct Public Works to review county ordinances and propose amendments that would allow the recovery cost to repair damage done to county public roads. The intent of this motion is to hold those responsible who damage the roadways due to the use of heavy vehicles, improperly parked property or other uses for which the type of roadway was not intended (Malinowski-July 2010)
- f. That Richland County enact a Tree Canopy ordinance and inventory to preserve and enhance the number of trees in Richland County (Malinowski-July 2010)
- g. Off-ramp Lighting (Rose-February 2011)
- h. In the interest of regional consistency and public safety, I move that Richland County Council adopt an ordinance (consistent with the City of Columbia) banning texting while operating a motor vehicle (Rose-April 2011)
- i. Direct staff to coordinate with SCDHEC and SCDOT a review of traffic light signal timing improvements in unincorporated Richland County and request a system of red/yellow flashing traffic signals be initiated to help reduce emissions. Unincorporated Richland County will also mandate ingress and egress turn lanes for all businesses and residential construction that would cause a slowdown of traffic on the road servicing that facility (Malinowski-September 2011)
- j. To have staff determine the legalities of an ordinance change that would allow for public/private business partnerships to be operated on school property, specifically in the sports medicine field, and create the necessary wording (Malinowski-September 2011)

k. Staff, in conjunction with the Conservation Commission, will consider an ordinance change to prevent the crossing of any portion of a conservation easement with utilities unless by special exception and with specific requirements in place (Malinowski-September 2011)

l. Overtime compensation shall not be calculated towards retirement salary (Jackson-September 2011)

## **ADJOURNMENT**



# Richland County Council Request of Action

**Subject**

Regular Session: September 27, 2011 (pages 5-7)

**Reviews**

# MINUTES OF



## RICHLAND COUNTY COUNCIL DEVELOPMENT AND SERVICES COMMITTEE TUESDAY, SEPTEMBER 27, 2011 6:00 P.M.

*In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.*

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### MEMBERS PRESENT

Chair: Valerie Hutchinson  
Member: Joyce Dickerson  
Member: Norman Jackson  
Member: Bill Malinowski  
Member: Kelvin E. Washington, Sr.

**ALSO PRESENT:** Paul Livingston, L. Gregory Pearce, Jr., Damon Jeter, Seth Rose, Gwendolyn Davis Kennedy, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Larry Smith, Dale Welch, Daniel Driggers, Don Chamblee, Rodolfo Callwood, John Hixson, David Hoops, Ray Peterson, Michael Byrd, Alonzo Smith, Melinda Edwards, Geo Price, Monique Walters, Michelle Onley

### CALL TO ORDER

The meeting started at approximately 5:00 p.m.

### APPROVAL OF MINUTES

**July 26, 2011 (Regular Session)** – Mr. Jackson moved, seconded by Mr. Washington, to approve the minutes as distributed. The vote in favor was unanimous.

### ADOPTION OF AGENDA

Mr. Jackson moved, seconded by Mr. Washington, to adopt the agenda as distributed. The vote in favor was unanimous.

## ITEMS FOR ACTION

**Valhalla Micro Surfacing Project** – Mr. Jackson moved, seconded by Mr. Washington, to forward this item to Council with a recommendation to approve Alternative #1: “Approve the contract for Roadway Management Inc. for the Valhalla Microsurface project in the amount of \$246,205.45.” A discussion took place.

The vote in favor was unanimous.

**Bath Salts Ordinance** – Mr. Rose requested that the D&S Committee unanimously add the Bath Salts Ordinance to the agenda. The committee members declined the request.

**North Paving Project—Wade Kelly Road Right of Way** – Mr. Malinowski moved, seconded by Ms. Jackson, to forward this item to Council with a recommendation to approve Alternative #1: “Approve the payment of the appraised amounts from the right-of-way for Wade Kelly Road in the amount of \$4,000.” The vote in favor was unanimous.

**Low Traffic Volume Road Paving Program** – Mr. Washington moved, seconded by Mr. Jackson, to forward this item to Council with a recommendation to approve Alternative #1: “Proceed with program.” The vote was in favor.

**Calculation of Salary for Retirement Purposes** – Mr. Malinowski moved to forward this item to Council with a recommendation to approve Alternative #2: “Seek an amendment to State law that would change how retirement benefits are calculated.”

Mr. Malinowski withdrew the motion.

Mr. Jackson moved, seconded by Mr. Malinowski, to hold this item in committee and direct staff to draft a proposed policy change that would limit the amount of overtime an employee can work. The vote in favor was unanimous.

**Condemnation of Private Property for Use as a Drainage Easement** – Mr. Malinowski moved, seconded by Mr. Jackson, to forward to this item to Council with a recommendation to approve the request to condemn 430 SF of private property (TMS # R22708-04-11) adjacent to Beaver Dam Road contingent upon staff sending a letter to the landowner giving the landowner a specified amount of time to accept the County’s proposal. If the landowner does not accept the County’s proposal, the County will proceed with the condemnation for \$100. A discussion took place.

The vote in favor was unanimous.

**Emergency Planning Review** – Mr. Malinowski moved, seconded by Mr. Jackson, to receive this item as information.

**Franklin Park and Albene Park Water Systems** – Mr. Washington moved, seconded by Mr. Jackson, to forward this item to Council with a recommendation to approve staff's recommendation: "Authorize County staff to work with the DHEC legal staff to complete the permanent transfer of the Franklin Park and Albene Park water systems to Richland County." A discussion took place.

The vote in favor was unanimous.

**Petition to Close Road/Portion of Beckham Swamp Road—Consent Order** – Mr. Malinowski moved, seconded by Mr. Jackson, to forward this item to Council with a recommendation to approve Alternative #1: "Approve petitioner's request to close the subject road and direct Legal to execute the proposed Consent Order." The vote in favor was unanimous.

**Sewer Tap Certificate Policy** – Mr. Malinowski moved, seconded Mr. Jackson, to defer this item in committee until staff obtains responses to questions submitted by committee members.

#### ADJOURNMENT

The meeting adjourned at approximately 5:40 p.m.

Submitted by,

Valerie Hutchinson, Chair

The minutes were transcribed by Michelle M. Onley

# Richland County Council Request of Action

**Subject**

Ordinance to Prohibit 'bath salts' and synthetic marijuana (pages 9-13)

**Reviews**

## Richland County Council Request of Action

**Subject:** Ordinance to prohibit “bath salts” and synthetic marijuana

**A. Purpose**

This request is, per Mr. Rose’s motion, to adopt an ordinance prohibiting “bath salts” and synthetic marijuana. This ordinance would be consistent with the recently passed City of Columbia ordinance.

**B. Background / Discussion**

During the September 27, 2011, committee meetings, as well as the October 4, 2011, County Council meeting, Mr. Rose attempted to have this ordinance placed on the agenda. Because those attempts were unsuccessful, this item is now being presented at the October committee meetings.

The above referenced City of Columbia ordinance was used to create the attached ordinance.

**C. Financial Impact**

There is no known financial impact with this request.

**D. Alternatives**

1. Adopt the attached ordinance.
2. Do not adopt the attached ordinance.
3. Adopt the ordinance with revisions.

**E. Recommendation**

See comments by Legal.

Recommended by: Elizabeth McLean

Department: Legal

Date: 10/06/11

**F. Reviews**

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

**Finance**

Reviewed by: Daniel Driggers

Date: 10/6/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Based on no financial impact

**Legal**

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

**Administration**

Reviewed by: J. Milton Pope

Date: 10-14-11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval, also the Association of Counties Legislative Committee has recommended approval of a ban on Bath Salts through Statewide legislation.

**STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_-11HR**

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 18, OFFENSES; BY THE ADDITION OF SECTION 18-7, "BATH SALTS" AND SYNTHETIC MARIJUANA; SO AS TO PROHIBIT THE USE, PURCHASE, SALE OR POSSESSION OF SUCH SUBSTANCES IN RICHLAND COUNTY.

**WHEREAS, substances containing methylone, mephedrone, methoxymethcathinone, fluroromethcathinone or methylenedioxypropylone (MDPV, collectively "bath salts"), are being used as recreational drugs producing a "high" similar to cocaine and methamphetamine; and**

**WHEREAS, substances containing HU-210 (molecular structure very similar to THC) CP 47,497 and JWH-018 (1-Pentyl-3-(1-naphthoyl)indole) known as the combination of herbs mixed with a lab-produced strain of marijuana is usually marketed as K2, Spice, JWH-018 or incense (collectively "synthetic marijuana") are being used as recreational drugs producing a "high" similar to cannabis; and**

**WHEREAS, banning the use, purchase, sale or possession of "bath salts" and synthetic marijuana will help prevent drug use and drug related crimes in Richland County promoting the public health, welfare, safety and general welfare of all citizens;**

NOW THEREFORE, 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 18, Offenses; is hereby amended by the addition of Section 18-7, "Bath Salts" and synthetic marijuana, to read as follows:

**Sec. 18-7. "Bath Salts" and synthetic marijuana.**

(a) Definitions.

**The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this**

subsection, except where the context clearly indicates a different meaning:

***Methylone, mephedrone, methylnmethcathinone, fluoromethcathinone or methylen dioxypyrovaleron (MDPV), collectively “bath salts” shall mean any material, compound, mixture, or preparation, whether produced directly or indirectly from a substance of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis, that contains any quantity of the following substances, or that contains any of the following substances' analogs, salts, isomers, and salts of isomers when the existence of the analogs, salts, isomers, and salts of isomers is possible within the specific chemical designation: methylone, mephedrone, methoxymethcathinone, fluroromethcathinone or methylenedioxyprovalerone (MDPV).***

***Synthetic marijuana shall mean and refer to all chemical compounds intended to replicate, mimic or cause a similar reaction to the effects of marijuana or cannabis. Such compounds are known or marketed under such names as THC, HU-210 Cannabicyclohexanol, JWH-018, JWH- 073, K2, Spice, herbal incense, herbal smoking blends, and other names. Further, synthetic marijuana shall be considered an illegal narcotic.***

(b) Prohibition.

(1) It is unlawful for a person to use, offer for use, purchase, offer to purchase, sell, offer to sell, or possess synthetic marijuana and/or “bath salts” as described herein. ***Methylone, mephedrone, methylnmethcathinone, fluoromethcathinone or methylen dioxypyrovaleron (MDPV), collectively called “bath salts” shall mean any material, compound, mixture, or preparation, whether produced directly or indirectly from a substance of vegetable origin or independently by means of chemical synthesis or by a combination of extraction and chemical synthesis, that contains any quantity of the following substances, or that contains any of the following substances' analogs, salts, isomers, and salts of isomers when the existence of the analogs, salts, isomers, and salts of isomers is possible within the specific chemical designation: methylone, mephedrone, methoxymethcathinone, fluroromethcathinone or methylenedioxyprovalerone (MDPV).***

- (2) It is unlawful to advertise the sale and/or use of “bath salts” and synthetic marijuana in Richland County.
- (c) Penalty.

**Any person who violates any provision of this section shall be subject to the penalty provisions of section 1-8 of the Richland County Code of Ordinances.**

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 \_\_\_\_\_, 2011.

RICHLAND COUNTY COUNCIL

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

ATTEST THIS THE \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2011

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

RICHLAND COUNTY ATTORNEY’S OFFICE

\_\_\_\_\_  
Approved As To LEGAL Form Only  
No Opinion Rendered As To Content

First Reading:  
Second Reading:  
Public Hearing:  
Third Reading:

# Richland County Council Request of Action

**Subject**

Achieve SC State Solid Waste Diversion Rate of 35% within five years and develop a long range goal for zero waste (pages 15-17)

**Reviews**

## Richland County Council Request of Action

**Subject:** Achieve SC State Solid Waste Diversion rate of 35% within five years  
And develop a long range goal for Zero Waste

### A. Purpose

*"County Council is requested to consider the Motion that Council and Council Staff develop and implement a plan that will enable Richland County to achieve the SC State goal of 35% solid waste diversion rate within the next 5 years and to develop a long term plan to reach the goal of "zero waste".*

### B. Background / Discussion

- The S.C. Solid Waste Policy and Management Act of 1991, was amended in 2000 to change the original waste reduction and recycling goals. The recycling goal was changed to 35 percent of the MSW stream with a target date of June 30, 2005. The waste reduction goal was changed to a per-capita disposal goal of 3.5 pounds per person per day with a target date of June 30, 2005. The Act has not been amended to change the target dates or goals. The state's current recycling rate is 25.5 percent.
- The Act's original recycling goal was 25 percent of the total waste stream by weight and waste reduction goal (reducing the amount of waste going to landfills and incinerators) was 30 percent of the total waste stream. Again, both goals were measured by weight and included all solid waste - not just MSW. The goals, which used fiscal year 1993 as a baseline, were met in FY 1997.
- These types of goals are normally accomplished by developing and implementing various public education programs, waste minimization programs and recycling programs. The County Solid Waste office is currently very active in providing these programs to the residents of Richland County and has received back to back awards for our public education and recycling programs the past two years.
- Currently the County Solid Waste Department has achieved a rate of 21% diversion of the solid waste stream and is on target to surpass the state goal of 35% by 2015 and it is estimated that by 2020 Richland County will reach a diversion rate of 45%.
- Several items to consider are some collection contracts are approaching expiration as these contracts are renewed or rebid the curbside program can be enhanced with programs that will increase our recycling rate.
- Adding a 96 gallon roll cart for recycling to the curbside collection program will boost our recycling and diversion rate anywhere from 10 to 15 % once it's been done County wide. This could be done with little or no extra cost to the County if it was included in the curbside collection contract negotiations.

- The Solid Waste department is currently focusing on reusable goods and multi-Family recycling as well as voluntary commercial recycling programs which will increase our diversion rates another 7 to 12 %.
- Implementing a full zero waste program will mean increasing solid waste fees to support programs associated with zero waste as well as mandating ordinances to both the residential and commercial communities. Some zero waste ordinances may require amendments to contracts such as the Landfill and Recycling processors contracts.

• **Financial Impact**

*Maintaining the current direction of the County recycling program will only incur minor cost increases in the next few years.*

*There will be some significant financial impact associated with zero waste and the cost can only be determined based on the level of the programs implemented.*

**C. Alternatives**

List the alternatives to the situation. There will always be at least two alternatives:

1. Direct staff to maintain current program direction and activities.
2. Direct staff to develop a goal to reach zero waste.

**D. Recommendation**

State which alternative you recommend. Be sure to include your name, department, and date. For example:

*Staff recommends no action be taken on zero waste until all haulers contracts have been renewed and that staff be directed to maintain current program direction and activities.*

Recommended by:	Department:	Date:
Paul F. Alcantar	Solid Waste	10/11/2011

**F. Reviews**

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

**Finance**

Reviewed by: <u>Daniel Driggers</u>	Date: 10/11/11
<input checked="" type="checkbox"/> Recommend Council approval	<input type="checkbox"/> Recommend Council denial
<input type="checkbox"/> Council Discretion (please explain if checked)	
Comments regarding recommendation: Supports the recommendation of Solid Waste Director.	

**Procurement**

Reviewed by: <u>Rodolfo Callwood</u>	Date: 10/11/11
<input checked="" type="checkbox"/> Recommend Council approval	<input type="checkbox"/> Recommend Council denial

Council Discretion (please explain if checked)  
Comments regarding recommendation:

**Grants**

Reviewed by: Sara Salley Date: 10/12/11  
✓ Recommend Council approval  Recommend Council denial  
 Council Discretion (please explain if checked)  
Comments regarding recommendation:

**Legal**

Reviewed by: Larry Smith Date:  
✓ Recommend Council approval  Recommend Council denial  
 Council Discretion (please explain if checked)  
Comments regarding recommendation: Recommend approval of staff's  
recommendation.

**Administration**

Reviewed by: Tony McDonald Date: 10/12/11  
✓ Recommend Council approval  Recommend Council denial  
 Council Discretion (please explain if checked)  
Comments regarding recommendation: Concur with the Solid Waste Director's  
assessment of the County's current recycling efforts and with the recommendations for  
expanding those efforts in the future.

# Richland County Council Request of Action

**Subject**

Expiring Solid Waste curbside collection contracts for areas 2 & 6 (pages 19-23)

**Reviews**

# Richland County Council Request of Action

**Subject:** Expiring Solid Waste Curbside Collection Contracts for Areas 2 & 6

## **A. Purpose**

County Council is requested to provide administration with direction as to whether council would like to rebid areas 2 & 6 or authorize administration to begin negotiations with current contractors providing service in areas 2 & 6 in anticipation of renewing contracts expiring in December 2012.

## **B. Background / Discussion**

- Richland County started providing county wide curbside collection in January of 1986.
- County currently provides curbside collection for Richland County residents through five contracted haulers. The services provided include household trash, yard waste, bulk item collection and recycling.
- Negotiations of expiring contracts or rebidding contracts provides an opportunity for enhancing our current curbside service with additional services, such as 96 gallon roll carts for recycling, unlimited yard waste / large pile removal, and bulk and white goods collection by appointment.
- Negotiations with current haulers will allow us to evaluate their past performance.
- Any negotiations should take into consideration current fuel surcharge and adjust the base price to a more current fuel pricing structure. At present the fuel surcharge base price is \$2.40 per gallon and the average price of fuel is \$3.79 per gallon.
- Current expiring routes are Waste Industries in Area 2 with 8,694 homes and Advanced Disposal in Area 6 with 10,564 homes.

## **C. Financial Impact**

There is no financial impact associated with this request at this time. The solid waste department budgets annually for all cost associated with curbside collection.

Area 2 (Waste Industries)	8,694 homes
Area 6 (Advanced Disposal / Southland)	10,564 homes

## **D. Alternatives**

1. Direct administration to begin negotiations with the current contractors for Areas 2 & 6.
2. Direct administration to renew current contracts as they exist today.
3. Direct administration to rebid Areas 2 and 6.

## **E. Recommendation**

It is recommended that Council approve the request to move forward with negotiations with current service providers for Areas 2 & 6. This would allow administration to investigate the

possibility of additional services and cost as well as adjust the fuel surcharge to a more current rate.

Recommended by:

Department:

Date:

**Paul F. Alcantar**

**Solid Waste Department**

**10/03/2011**

## F. Reviews

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

### Finance

Reviewed by: Daniel Driggers

Date: 10/13/11

✓ Recommend Council approval

Recommend Council denial

Comments regarding recommendation: While there is no immediate financial impact as stated in section "c", there are long-term financial implications to the County Solid Waste program and the annual citizen solid waste fee that will be a direct result of this decision. Therefore the recommendation is to support the County moving forward with an evaluation of the true cost of services, impact of current economic and contractual terms and proceed with negotiations as appropriate.

### Procurement

Reviewed by: Rodolfo Callwood

Date: 10/13/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

### Grants

Reviewed by: Sara Salley

Date: 10/14/11

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

### Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation: Council would have the legal authority to exercise any of the alternatives that are proposed. However, prior to determining which alternative the county should exercise, I would recommend that an evaluation be done to determine the true cost of the services, and the impact of current economic and contractual terms to determine which alternative would provide the best quality service to the constituents and the best price to the county.

### Administration

Reviewed by: Tony McDonald

Date: 10/17/11

✓ Recommend Council approval

Recommend Council denial

Item# 4

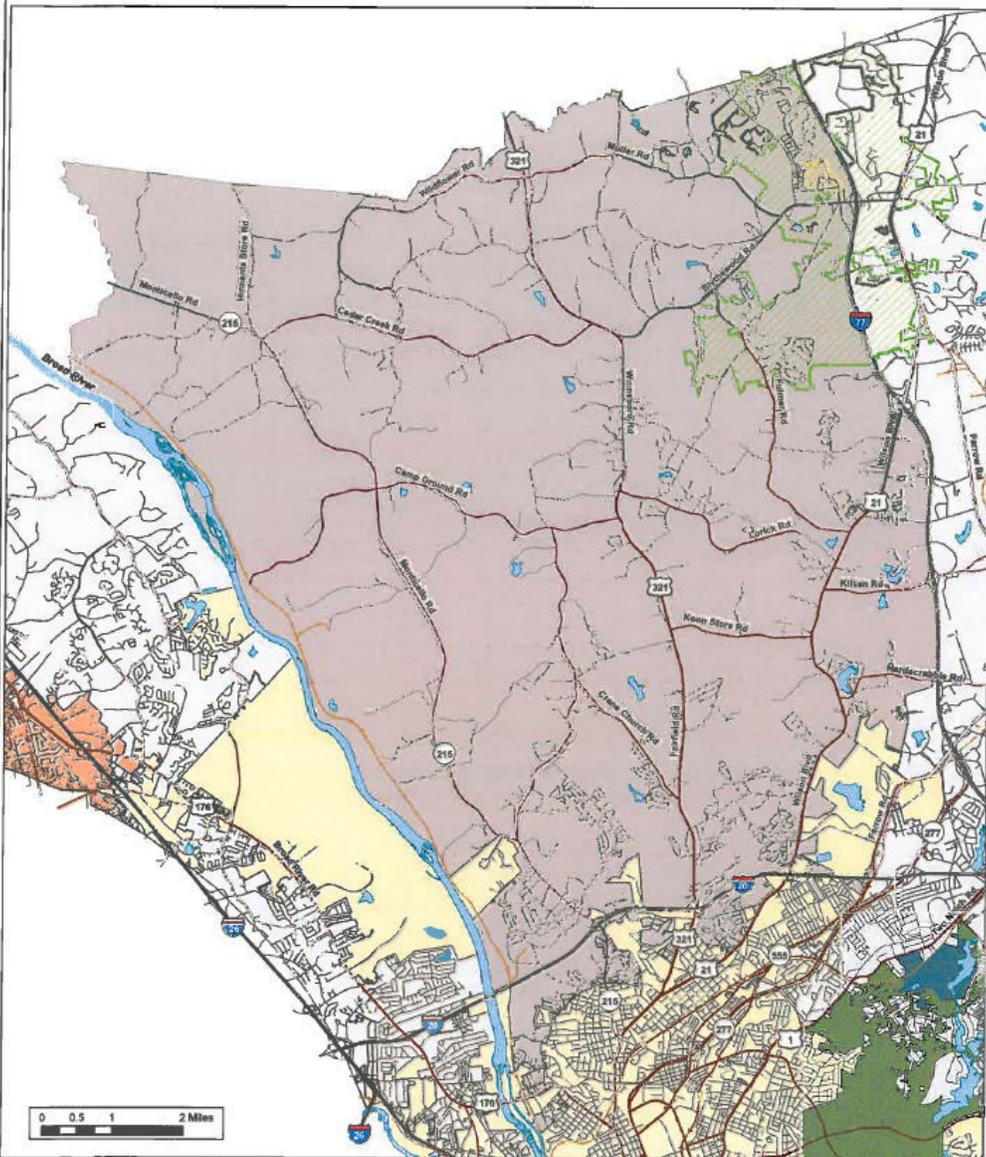
Council Discretion (please explain if checked)

Comments regarding recommendation: There are basically two decisions that need to be made at this time with respect to this matter:

1. Does the Council wish to renew the existing contracts as they exist today, renegotiate those contracts with different terms, or re-bid the contracts for the service areas in question. Either of these options is allowable under the County's procurement code.
2. Does the Council wish to explore higher levels of service, such as for yard waste collection, recycling and/or white goods collection?

It is the staff's recommendation that the contracts be renegotiated with the current vendors, and that the potential of additional levels of service be included in those negotiations. Of course, the Council would have to ultimately approve any increase in the levels of service provided.

# RC SWR Area 2 Collection



## Legend

### Municipalities

-  Blythewood (RC Collection)
-  Columbia
-  Irmo
-  Arcadia Lakes
-  Forest Acres

### Solid Waste Collection Zones

-  Garbage: Monday
-  Recycling: Friday
-  Yard Waste: Thursday
-  Backyard Collection



**DISCLAIMER:** This is a product of the Richland County Public Works Department. The data reported here have been developed with cooperative assistance from other agency departments, as well as other federal, state and local government agencies. Reasonable efforts have been made to ensure the accuracy of the map. Richland County is not liable for any damages or liability that may arise from the use of this map.

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Richland County Public Works  
485 Forest Hill  
Columbia, SC 29203



# Richland County Council Request of Action

**Subject**

Animal Care Ordinance Revisions (pages 25-36)

**Reviews**

## Richland County Council Request of Action

**Subject:** Animal Care Ordinance Revisions

### **A. Purpose**

Council is requested to approve several ordinance revisions relating to Animal Care for consistency, improved enforcement efforts, and other related matters.

### **B. Background / Discussion**

The County and City have co-located animal services into one facility for the efficiency of operations, and to provide streamlined services for customers that will expedite the redemption of lost pets and increase adoptions.

According to the July 31, 2007 Intergovernmental Agreement between the County and City, the City's policies and ordinances shall apply to any and all operations of the Animal Shelter. The section is enclosed below for your convenience.

3. Shelter Policies. The City's policies and ordinances, as may from time to time be amended, will apply to any and all operations of the Animal Shelter, including but not limited to the disposition of animals received at the Animal Shelter, adoption, redemption and spay/neuter, which are listed by way of illustration and not limitation. Prior to any change of Animal Shelter policies relating to animal care management, the City Manager and the County Administrator will confer as to the proposed change and mutually agree to the change before such policy is adopted and implemented by the City.

Currently, there are differences between the City and County's animal care ordinances. These differences sometimes cause conflicts with animal redemptions and other matters, and confusion amongst unincorporated Richland County and City of Columbia residents. Amending the County's ordinance to reflect the language in the City's ordinance in certain sections will allow smoother day-to-day operations for both entities, and will provide a clearer understanding of the animal care ordinances for Richland County citizens. Ordinance revisions relating to the provision of clarification and consistency with the City's policies and ordinances regarding shelter operations are **highlighted in yellow** for your convenience.

Council directed the Joint County – City Animal Care Subcommittee to review the proposed ordinance amendments, as well as the following motion submitted by Council members Malinowski and Kennedy:

**Staff is requested to review Richland County's current ordinance as it relates to animal ownership in Richland County to determine if there is a better way of controlling the amount of animals (pets) a person has in their possession in order to eliminate the possibility of some locations turning into uncontrolled**

**breeding facilities or a facility for the collection of strays and unwanted animals.**

The Subcommittee met, and discussed the items, per Council's directive. While the group did not reach consensus on all items, the group did recommend approval of the yellow highlighted items, which pertain to aligning the County's ordinance with that of the City's regarding shelter operations. The group also approved all other revisions, but certain citizen appointees to the Subcommittee took exception to Sections 5-5 a, 5-19, and 5-20 c, d. Staff informed the Subcommittee that those revisions were included per discussions with and/or motions of Council.

Please note that the Richland County Animal Care Department currently enforces animal cruelty items under the current Animal Care Ordinance (via "Animal Care, Generally" Section 5-9). (Meaning, if a location is found to have, per Mr. Malinowski's and Ms. Kennedy's motion, "uncontrolled breeding facilities" or is a "facility for the collection of strays and unwanted animals," enforcement may occur.)

**C. Financial Impact**

Revisions to the animal care ordinance are not expected to have any financial impact of any significance.

**D. Alternatives**

1. Adopt all of the animal care ordinance revisions as presented.
2. Adopt some of the ordinance revisions and/or develop new revisions.
3. Leave the ordinance as currently written.

**E. Recommendation**

It is recommended that Council approve the recommended revisions as presented.

Recommended by: Sandra Haynes Department: Animal Care Date: October 3, 2011

**F. Reviews**

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

**Finance**

Reviewed by: Daniel Driggers

Date: 10/09/11

Recommend Council approval

Recommend Council denial

Council Discretion (Please explain if checked)

Comments regarding recommendation: Based on no financial impact and supports the Animal Care Director's recommendations.

**Legal**

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (Please explain if checked)

Comments regarding recommendation: Council has the legal authority to exercise any of the alternatives that are presented .

**Administration**

Reviewed by: Roxanne Ancheta

Date: October 11, 2011

Recommend Council approval

Recommend Council denial

Council Discretion (Please explain if checked)

Comments regarding recommendation: It is recommended that Council approve the ordinance revisions as presented.

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY

ORDINANCE NO. \_\_\_\_ -11HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 5, ANIMALS AND FOWL, SO AS TO CLARIFY SECTIONS DEALING WITH AUTHORITY OF OFFICERS, CONDITIONS OF IMPOUNDMENT, REDEMPTION OF ANIMALS AND OWNER RESPONSIBILITIES.

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

SECTION I. The Richland County Code of Ordinances; Chapter 5, Animals and Fowl; Section 5-1, Definitions; is hereby amended to read as follows:

**Sec. 5-1. Definitions.**

Whenever used in this chapter, unless a contrary intention is clearly evidenced, the following terms shall be interpreted as herein defined.

*Abandon* shall mean to desert, forsake, or intend to give up absolutely an animal without securing another owner.

~~*Abuse*~~ shall mean the act of any person who deprives any animal of necessary sustenance or shelter, or inflicts unnecessary pain or suffering upon any animal, or causes these things to be done.

*Animal* shall mean, in addition to dog and cat, any organism of the kingdom of Animalia, other than a human being.

*Animal care officer* shall mean any person employed by the county to enforce the animal care program.

~~*Animal shelter*~~ *Animal care facility* shall mean any premises designated by the county for the purpose of impounding, care, adoption, or euthanasia of dogs and cats held under authority of this chapter.

*At large* shall mean an animal running off the premises of the owner or keeper and not under the physical control of the owner or keeper by means of a leash or other similar restraining device.

*Nuisance* shall mean an animal that disturbs the rights of, threatens the safety of, or damages a member of the general public, or interferes with the ordinary use and enjoyment of their property.

*Owner* shall mean any person who:

- (1) Has a property right in an animal;

- (2) Keeps or harbors an animal or who has it in his or her care or acts as its custodian; or
- (3) Permits an animal to remain on or about any premises occupied by him or her.

*Pet* shall mean a domestic dog (*canis familiaris*) and/or a domestic cat (*felis catus domesticus*).

*Shelter shall mean any structure appropriately sized for the pet to stand or lie in a normal manner. The structure must have a roof, three sides, appropriate sized opening for entry and exit and a floor so as to protect the pet from the elements of weather.*

*Under restraint* shall mean an animal that is on the premises of its owner or keeper by means of a leash, fence or other similar restraining device, or is on the premises of its owner or keeper and accompanied by the owner/keeper, or an animal that is off the premises of its owner or keeper but is accompanied by its owner or keeper and is under the physical control of such owner or keeper by means of a leash or other similar restraining device.

SECTION II. The Richland County Code of Ordinances; Chapter 5, Animals and Fowl; Section 5-2, Differential county license fees; rabies vaccination tags, is hereby amended to read as follows:

**Sec. 5-2. Differential county license fees; rabies vaccination tags;**

(a) It shall be unlawful for the owner of any pet to fail to provide any pet over ~~six (6) four (4)~~ months of age with a current county pet license tag. The owner of any pet over ~~six (6) four (4)~~ months of age must also have a current rabies vaccination tag showing that such pet has been vaccinated by a licensed veterinarian. No license will be issued unless proof of inoculation is shown. Any pet owner who moves into the county for the purpose of establishing residency shall have thirty (30) days in which to obtain the license.

(b) The county pet license fee for fertile pets shall be twenty dollars (\$20.00) per year. The county license fee for sterilized pets shall be four dollars (\$4.00) per year. Licenses will expire one (1) year after the date of issue, and owners will have until the end of the month of original issue to renew the licenses.

(c) The animal care department shall annually provide a sufficient number of durable tags suitable for pets numbered from one (1) upwards on which shall be stamped the year and the words "pet license." Such tags must be worn by all pets in the county at all times. Any pet owner who has their animal tattooed may register the tattoo number with the animal care department in addition to obtaining a tag.

SECTION III. The Richland County Code of Ordinances; Chapter 5, Animals and Fowl; Section 5-3, Exemptions from differential licensing; is hereby amended to read as follows:

**Sec. 5-3. Exemptions from differential licensing.**

(a) The following classifications of owners of pets shall be exempt from paying the higher license fee for fertile pets. These exempt persons shall be required to purchase a license for their pet but will pay only a fee of four dollars (\$4.00) for each license and will not be required to have the pet spayed/neutered:

- (1) Any owner of a pet who can furnish a statement from a licensed veterinarian that the pet, due to health reasons, could not withstand spay/neuter surgery;
- (2) Any owner of one or more purebred pets who can furnish proof of participation in at least three nationally recognized conformation or performance events; or obedience shows within the past twelve months.
- ~~(3) Any owner of a dog that is currently being used for hunting purposes and is properly registered with the South Carolina Wildlife Department the South Carolina Department of Natural Resources and whose owner has a valid South Carolina hunting license.~~

~~(b) Any individual who is handicapped and who owns a dog which is being used for seeing, hearing or other such assistance purposes owner of a dog which is trained to be an assistance dog for its owner~~ shall be required to obtain an annual license but shall not be required to pay any license fee.

(c) The county animal care department shall ~~obtain~~ maintain the name and address of each party to whom a license and tag have been issued under the provisions of this section and shall keep the same on file in the offices of the department for the purpose of identification.

SECTION IV. The Richland County Code of Ordinances; Chapter 5, Animals and Fowl; Section 5-3, Exemptions from differential licensing; is hereby amended to read as follows:

**Sec. 5-5. Running at large – restraint.**

(a) All domestic animals must be kept under restraint or confinement. Any domestic animal not so restrained will be deemed unlawfully running at large in the unincorporated area of the county. ~~Provided, however, this subsection shall not apply to domestic cats that have been spayed or neutered.~~

(b) Dogs that are participating in hunting events, obedience trials, conformation shows, tracking tests, herding trials, ~~or lure courses,~~ and other events similar in nature, shall not be considered "at large."

~~(c) If an animal care officer witnesses an animal not under restraint, the officer may exercise the authority to pursue the animal onto private property; provided, however, that the officer shall not pursue the animal into a fenced yard or private dwelling unless there is an immediate threat to public safety and the animal is clearly able to enter and exit from the premises unrestrained. Such~~

pursuit shall end at such time as the animal is no longer at large and/or is under restraint. If an immediate threat to the public is absent, then a search warrant must be executed in order to enter into a fenced yard or private dwelling.

SECTION V. The Richland County Code of Ordinances; Chapter 5, Animals and Fowl; Section 5-7, Injured or diseased pets; is hereby amended to read as follows:

**Sec. 5-7. Injured or diseased pets.**

Anyone striking a pet with a motor vehicle or bicycle shall notify the county animal care department who will then take action necessary to make proper disposition of the pet. Any pet received by the animal shelter care facility in critical condition from wounds, injuries, or disease may receive sustaining treatment by a licensed veterinarian until such time as the owner of the pet is contacted. Any such pet in critical condition, as described in this section, may be humanely destroyed if the owner cannot be contacted within five two (5 2) hours. If the pet is in severe pain it may be destroyed immediately.

SECTION VI. The Richland County Code of Ordinances; Chapter 5, Animals and Fowl; Section 5-13, Impounding; is hereby amended to read as follows:

**Sec. 5-13. Impounding.**

(a) Any animal found within the unincorporated area of the county in violation of the provisions of this chapter may be caught and impounded by county authorities. If an animal cannot be caught in a safe, efficient manner, animal care personnel may tranquilize the animal by use of a tranquilizer gun. The animal care department facility may, thereafter, make available for adoption or humanely destroy impounded animals not redeemed within five (5) days. Animals impounded at the animal care facility, which are deemed by the superintendent of animal services, or his/her designee, to constitute a danger to other animals or persons at the shelter, or which are infectious to other animals, in pain or near death, may be humanely destroyed immediately.

(b) When a person arrested is, at the time of the arrest, in charge of an animal, the county animal care department ~~may~~ take charge of the animal and deposit the animal in a safe place of custody or impound the animal at its animal shelter.

(c) The county may transfer title of all animals held at its animal shelter after the legal detention period has expired and its owner has not claimed the animal.

(d) Immediately after impounding a pet that is wearing a rabies tag, a county license tag, or another identification tag, or a pet that has an implanted identification microchip or an obvious identification tattoo, a reasonable effort will be made to locate the owner and to inform him or her of the circumstances under which he or she may regain custody of the pet impounded by the county reflecting its disposition. A positively identifiable animal is one which bears or wears a legible and traceable current permanent number, county license or tag or rabies vaccination tag pursuant to section 5-2; or a traceable registration number, tattoo or microchip pursuant to S.C. Code Ann. 47-3-510 (Supp. 1999).

The owner of a positively identifiable impounded animal shall be notified at the owner's last known address by regular mail and registered mail that the animal has been impounded. The owner has 14 days from the date of mailing to contact the animal care facility for pick-up. Redemption costs will include the cost of mailing, any established costs, fines, fees or other charges. If the owner does not make contact within 14 days of the date of the mailing, the animal will be deemed abandoned and becomes the property of the animal care department. For animals impounded at the animal care facility, the superintendent of animal services, or his/her designee, shall either place the animal for adoption or have the animal humanely destroyed, pursuant to S.C. Code Ann. 47-3-540 (Supp. 1999).

Notwithstanding the above, animals impounded at the animal care facility, which are deemed by the superintendent of animal services, or his / her designee, to constitute a danger to other animals or persons at the shelter, or which are infectious to other animals, in pain or near death, may be humanely destroyed immediately.

(e) Any animal found "at large" may be impounded by the animal care officer and may not be redeemed by its owner unless such redemption is authorized by the county animal care department, with assurance from the owner that proper care and custody will be maintained.

(f) Any animal surrendered to the animal shelter may be adopted or euthanized at any time provided there is a completed and signed surrender form on file for the animal concerned.

(g) It shall be unlawful for any person to furnish false information on the animal surrender forms.

SECTION VII. The Richland County Code of Ordinances; Chapter 5, Animals and Fowl; Section 5-14, Redemption; is hereby amended to read as follows:

**Sec. 5-14. Redemption.**

(a) The owner or keeper of any pet that has been impounded under the provisions of this chapter, and which has not been found to be dangerous or vicious, shall have the right to redeem such pet at any time within five (5) days upon payment of a fee as follows:

- (1) For a pet that has been properly inoculated, licensed, microchipped, and neutered or spayed, the fee shall be \$10.00.
- (2) For other pets the fee shall be \$10.00 plus the appropriate license fee, the charge for rabies inoculation, ~~the cost of microchipping the pet~~ a \$20.00 microchipping fee, and the cost of spaying or neutering the pet. No fertile pet shall be redeemed or adopted from the shelter. No fertile pet shall be redeemed or adopted unless one of the criteria under the exceptions provisions in subsections 5-3(a)(1) - (2) has been met. No pet will be released without proof of inoculation and without an implanted microchip. ~~The requirements of spaying or neutering shall not be waived under the exceptions in subsections 5-3 (a) (1) - (2) when the animal has been impounded a~~

second time for any violation of sections 5-4; 5-5; 5-6; 5-8; 5-9; 5-10; 5-11; 5-12 or 5-13.

(b) In addition to the redemption fee, an impound fee of \$20.00 and a board fee of seven six dollars (\$76.00) per day per pet shall be paid by the owner or keeper when a pet is redeemed.

(c) The fees set out in this section shall be doubled for any pet impounded twice or more within the same 12-month period.

SECTION VIII. The Richland County Code of Ordinances; Chapter 5, Animals and Fowl; Section 5-15, Adoption; is hereby amended to read as follows:

**Sec. 5-15. Adoption.**

(a) Any animal impounded under the provisions of this chapter may at the end of the legal detention period be adopted provided the new owner will agree to comply with the provisions contained herein.

~~(b) All adult pets adopted from the animal shelter shall be spayed or neutered, and inoculated against rabies. Any pet surrendered to the shelter may be adopted at any time provided there is a completed and signed surrender form on file for the animal concerned.~~

(c) Those individuals adopting puppies or kittens too young to be neutered or spayed or receive rabies inoculations will pay the cost of these procedures at the time of adoption and be given an appointment for a later time to have these procedures accomplished. In the event the animal is deceased prior to the appointment date, the applicable portion of the adoption fee will be returned.

~~(d) Fees for the adopted pets will be the same as those established for the redemption of impounded pets, together with a reasonable fee for microchipping.~~

SECTION IX. The Richland County Code of Ordinances; Chapter 5, Animals and Fowl; Section 5-19. Restricted number of pets; is hereby added to read as follows:

**Sec. 5-19. Restricted number of pets**

(a) The number of pets that can be owned per household is restricted to a total of 3. This total can be reached with any combination of "pets" as defined herein. The restricted number of pets is applicable to all locations within the unincorporated areas of county, with exceptions listed in section (b) of this chapter.

(b) There shall be no limit on the number of pets in areas that are zoned "rural."

There will be a 6-month grace period from the adoption date of this ordinance to allow compliance with the number of pets' restrictions.

SECTION X. The Richland County Code of Ordinances; Chapter 5, Animals and Fowl; Section 5-20. Prohibited; exceptions; is hereby added to read as follows:

**Sec. 5-20. Prohibited; exceptions.**

(a) Except as provided in subsection 5-20 (d), it shall be unlawful for any person to sale, own, keep, harbor, or act as custodian of a:

- (1) a. Nondomestic member of the family felidae;
- b. Wolf-dog hybrid containing any percentage of wolf;
- c. Badger, wolverine, weasel, skunk and mink;
- d. Raccoon;
- e. Bear;
- f. Nonhuman primate to include ape, monkey, baboon, macaque, lemur;
- g. Marmoset, tamarin and other species of the order primates;
- h. Bat;
- i. Alligator, crocodile and caiman;
- j. Scorpion;
- k. Constricting snake of the following species: reticulated python, python reticulatus; Burmese/Indian rock python, python molurus; rock python, python sebae, and anaconda, eunectes murinus;
- l. Venomous reptile; or
- m. Lizard over two feet which are members of the family varanidae.

(b) It shall be unlawful for any person to expose to public view or contact, exhibit either gratuitously or for a fee, any wild or feral animals identified in subsection 5-20(c), or any animal of mixed domestication and feral lineage within the unincorporated areas of the county on public or private property, except as provided in subsection 5-20(d).

(c) Wild or feral animal means:

(1) Any animal which is not naturally tame or gentle, and which is of a wild nature or disposition, and which is capable of killing, inflicting serious injury upon, or causing disease among, human beings or domestic animals and having known tendencies as a species to do so;

(2) Any animal declared to be illegal by the County Animal Care Director or his or her designee;

(3) Any non-domesticated member of the order Carnivora;

(4) The following animals which shall be deemed to be wild or feral animals per se:

a. All nondomestic members of the family felidae;

b. Wolves, wolf-dog hybrids containing any percentage of wolf, coyotes and foxes;

c. Badgers, wolverines, weasels, skunks and mink;

d. Raccoons;

e. Bears;

f. Nonhuman primates to include apes, monkeys, baboons, macaques, lemurs, marmosets, tamarins and other species of the order primates;

g. Bats;

h. Alligators, crocodiles and caimans;

i. Scorpions;

j. Any snakes or venomous reptile; or

k. Lizards over two feet which are members of the family varanidae;

(d) The prohibition contained in subsections (a), (b) and (c) above, shall not apply to the keeping of wild or feral animals in the following circumstances:

(1) The keeping of wild or feral animals in a public zoo, bona fide education or medical institution, humane society, or museum where they are kept as live specimens for the public to view, or for the purpose of instruction, research or study.

(2) The keeping of wild or feral animals for exhibition to the public by a bona fide traveling circus, carnival, exhibit or show, properly licensed and permitted by state and local law.

(3) The keeping of wild or feral animals in a bona fide, licensed veterinary hospital for treatment.

(4) The keeping of wild or feral animals by a wildlife rescue organization with appropriate permits from any state or local regulatory body.

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

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

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

RICHLAND COUNTY COUNCIL

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

ATTEST THIS THE \_\_\_\_\_ DAY

OF \_\_\_\_\_, 2011.

\_\_\_\_\_  
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

\_\_\_\_\_  
Approved As To LEGAL Form Only  
No Opinion Rendered As To Content

First Reading:  
Second Reading:  
Public Hearing:  
Third Reading:

# Richland County Council Request of Action

**Subject**

Decker Blvd/Woodfield Park Neighborhood Redevelopment Overlay District and the Corridor Redevelopment Overlay District (pages 38-42)

**Reviews**

## Richland County Council Request of Action

**Subject:** Decker Boulevard/Woodfield Park Neighborhood Redevelopment Overlay District and the Corridor Redevelopment Overlay District

### **A. Purpose**

To amend the Land Development Code to make the standards of the DBWP Decker Boulevard/Woodfield Park Neighborhood Redevelopment Overlay and the standards of the CRD Corridor Redevelopment Overlay District mandatory rather than optional.

### **B. Background / Discussion**

On September 20, 2011, with unanimous consent, a motion was made by the Honorable Councilwoman Joyce Dickerson and the Honorable Councilman Jim Manning to:

“Decker Boulevard Commercial Corridor District Ordinance change”

Upon further clarification from the Council members who made the motion, staff has prepared a draft ordinance that would make the standards of the CRD Corridor Redevelopment Overlay District and the standards of the DBWP Decker Boulevard/Woodfield Park Neighborhood Redevelopment Overlay mandatory rather than optional.

The draft ordinance is attached.

### **C. Financial Impact**

None.

### **D. Alternatives**

1. Approve the ordinance as drafted, and send it to the Planning Commission for their recommendation.
2. Approve an amended ordinance, and send it to the Planning Commission for their recommendation.
3. Do not approve the request.

### **E. Recommendation**

This request is at Council’s discretion.

Recommended by: Honorable Joyce Dickerson and  
Honorable Jim Manning

Date: 9/20/11

## F. Approvals

### Finance

Reviewed by: Daniel Driggers

Date: 10/6/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

### Planning

Reviewed by: Amelia R. Linder

Date: 10/7/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: All of the alternatives appear to be legally sufficient.

### Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

### Administration

Reviewed by: Sparty Hammett

Date: 10/19/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend Council approval of the ordinance as drafted.

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_-11HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-109, CRD CORRIDOR REDEVELOPMENT OVERLAY DISTRICT; AND SECTION 26-110, DBWP DECKER BOULEVARD/WOODFIELD PARK NEIGHBORHOOD REDEVELOPMENT OVERLAY DISTRICT; SO AS MAKE THE STANDARDS FOR THOSE DISTRICTS MANDATORY RATHER THAN OPTIONAL.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-109, CRD Corridor Redevelopment Overlay District; Subsection (b), Applicability/Establishment; is hereby amended to read as follows:

(b) *Applicability/Establishment.*

- (1) The CRD Overlay District may be approved and designated by County Council for any area within the county that has already had a Master Plan approved and adopted by the County Council; ~~provided, however, the standards of such district shall remain optional, as described in subparagraph (2), below.~~ The provisions of this Section shall apply to all parcels of land and rights of way, or portions thereof, within the boundaries of a CRD Overlay District. No change in the boundary of the CRD Overlay District shall be authorized, except by the County Council, pursuant to procedures in Section 26-52.
- ~~(2) — Once a CRD Overlay District is applied to a designated area of the county, the development standards of the underlying district shall remain in place until such time as a property owner applies to the Planning and Development Services Department to have the standards of the CRD Overlay District apply to his/her property. Only one set of standards shall apply to any one parcel of land, and a property owner is not allowed to simultaneously use the development standards of both districts.~~
- (3) Development in a CRD Overlay District shall consist of higher density mixed-use building types that accommodate retail, offices, and residential uses. Allowed uses include those uses allowed in the underlying zoning districts. Additional permitted uses and exceptions are listed in subsection (c), below. Development within identified CRD zones shall conform to the form-based standards found in subsection (d), below. The CRD Overlay District has detailed provisions for uses, building types, density, height, street

design, design of public spaces, the mix of uses, building design, parking, and other aspects of the human environment.

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-110, DBWP Decker Boulevard/Woodfield Park Neighborhood Redevelopment Overlay District; Subsection (b), Applicability/Establishment; is hereby amended to read as follows:

(b) *Applicability/Establishment.* The DBWP Neighborhood Overlay District may be approved and designated by County Council for any area within the county that has already had a Master Plan approved and adopted by the County Council. The provisions of this Section shall apply to all parcels of land and rights of way, or portions thereof, within the boundaries of a DBWP Neighborhood Overlay District. No change in the boundary of the DBWP Neighborhood Overlay District shall be authorized, except by the County Council, pursuant to procedures in Section 26-52.

~~(1) — The DBWP Neighborhood Overlay District may be approved and designated by County Council for any area within the county that has already had a Master Plan approved and adopted by the County Council; provided, however, the standards of such district shall remain optional, as described in subparagraph (2), below.~~

~~(2) — Once a DBWP Neighborhood Overlay District is applied to a designated area of the county, the development standards of the underlying district shall remain in place until such time as a property owner applies to the Planning and Development Services Department to have the standards of the DBWP Neighborhood Overlay District apply to his/her property. Only one set of standards shall apply to any one parcel of land, and a property owner is not allowed to simultaneously use the development standards of both districts.~~

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

SECTION V. Effective Date. This ordinance shall be effective from and after \_\_\_\_\_, 2011.

RICHLAND COUNTY COUNCIL

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

ATTEST THIS THE \_\_\_\_\_ DAY

Item# 6

Attachment number 1  
Page 4 of 5

OF \_\_\_\_\_, 2011.

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***Michelle M. Onley***

Assistant Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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Approved As To LEGAL Form Only  
No Opinion Rendered As To Content

Public Hearing:  
First Reading:  
Second Reading:  
Third Reading:

# Richland County Council Request of Action

**Subject**

Review the process of the Development Review Team (pages 44-50)

**Reviews**

## Richland County Council Request of Action

**Subject:** Review the process of the Development Review Team (DRT)

### **A. Purpose**

To amend the Land Development Code to eliminate the DRT review process and instead have the Planning Commission as the reviewing body.

### **B. Background / Discussion**

On October 4, 2011, with unanimous consent, a motion was made by the Honorable Councilman Norman Jackson to:

“Review the process of the DRT and the effect of it going through the Planning Commission as it did in the past for more transparency and giving the public and Council members more awareness of what is really happening in their district.”

The establishment of the Development Review Team is found in Section 26-34 of the Code of Ordinances:

#### **Sec. 26-34. Development Review Team**

- (a) *Established; duties.* A development review team is hereby established, which shall have the following duties:
  - (1) *Land development review.* The development review team shall review and comment on all major land development applications and minor land development applications as needed. Such review shall be made in accordance with the procedures set forth in Section 26-53 of this chapter.
  - (2) *Subdivision review.* The development review team shall review and comment on all major subdivision plat applications and shall comment on minor subdivision plats as needed. Such review shall be made in accordance with the procedures set forth in Section 26-54 of this chapter.
  - (3) *Assistance to the planning department.* The development review team shall review and comment on other plans or applications as requested by the planning department and shall assist the staff of the planning department with any studies or other land development matters as necessary.
  - (4) *Other.* The development review team shall perform such additional powers and duties as may be set forth for the development review team of Richland County elsewhere in this chapter and other laws and regulations of the county.

- (b) *Membership; operating procedures.* The development review team shall be appointed by the planning director. It shall consist of representatives of various departments within the county. The membership and operating procedures shall be as determined by the planning director. The planning director shall be a member of and shall serve as chair of the development review team.

For **minor land developments**, staff review is as follows [Section 26-53 (b) (2) d.]:

- d. *Staff review.* The planning department shall review the application and determine if it is complete. If the application is incomplete, the planning department shall notify the applicant of the deficiencies within thirty (30) days of the most recent submission date. Provided the application is complete, the following shall occur.
1. *Planning staff review.* Plans for development requiring minor land development review shall be reviewed by the planning department for compliance with the requirements of this chapter.
  2. *Development review team.* As needed, plans for development requiring minor land development review shall be reviewed by members of the county's development review team for compliance with the requirements of this chapter and other applicable county codes. No formal team review shall be required.

The planning department shall approve, approve conditionally, or deny the approval of the application within sixty (60) days of receipt. Failure to act on an application with sixty (60) days shall be considered to constitute approval. A record of all actions will be maintained as a public record and the applicant must be notified of any actions taken.

For **major land developments**, staff review is as follows [Section 26-53 (b) (3) d.]:

- d. *Staff review.* The planning department shall review the application and determine if it is complete. If the application is incomplete, the planning department shall notify the applicant of the deficiencies within thirty (30) days of the most recent submission date. Provided the application is complete, the following shall occur:
1. *Planning staff review.* Plans for development requiring major land development review shall be reviewed by the planning department for compliance with the requirements of this chapter.
  2. *Development review team.* The planning department shall present site plans for developments requiring major land development review to the development review team. Within thirty (30) days of receipt of a site plan from the planning department, the development review team shall review the site plans for compliance with existing federal, state and local laws and regulations, as well as for compatibility with the county's comprehensive plan. The development review team shall take one of the following three (3) actions on the application within fifteen (15) days of reviewing the site plan.
    - [a] *Approval by development review team.* If the site plan is approved by the development review team, the planning department shall notify the

applicant and transmit the site plan to the planning commission for their information.

[b] *Conditional approval by development review team.* If the site plan receives conditional approval, the applicant shall revise the plan based upon the conditions of the approval and resubmit it. The revised plan shall be reviewed by the planning department and if it meets all of the review team conditions, the site plan shall be transmitted to the Richland County Planning Commission for their information. Conditional approval may also be appealed to the Richland County Planning Commission, subject to the procedures for a public hearing set forth in subsections e. and f. below.

[c] *Denial by development review team.* If the site plan is denied, the reasons for denial shall be provided to the applicant. The site plan may be revised to address the reasons for denial and resubmitted in accordance with the provisions of this chapter. The denial may also be appealed to the Richland County Planning Commission, subject to the procedures for a public hearing set forth in subsections e. and f. below and the payment of any fees established by the Richland County Council.

Appeals must be filed within fifteen (15) days of the date the decision is received by the applicant for a land development permit.

For **minor subdivisions**, staff review is as follows [Section 26-54 (c) (2) d.]:

- d. *Staff review.* The planning department shall review the application and determine if it is complete. If the application is incomplete, the planning department shall notify the applicant of the deficiencies within thirty (30) days after the most recent submission date. Provided that the application is complete, the following shall occur.
  - 1. *Planning staff review.* Sketch plans for development requiring minor subdivision review shall be reviewed by the planning department for compliance with the requirements of this chapter.
  - 2. *Development review team.* As needed, plans for minor subdivisions shall be reviewed by members of the county's development review team for compliance with the requirements of this chapter and other applicable county codes. No formal team review shall be required.

The planning department shall approve, approve conditionally, or deny the approval of the sketch plan for a minor subdivision within sixty (60) days after the submission date of a completed application. If the department fails to act on the application within that time, the application shall be deemed approved. A record of all actions will be maintained as a public record and the applicant must be notified of any actions taken.

For **major subdivisions (sketch plans)**, staff review is as follows [Section 26-54 (c) (3) d. 1.]:

1. *Staff review.* The planning department shall review the application and determine if it is complete. If the application is incomplete, the planning department shall notify the applicant of the deficiencies within fifteen (15) days of the most recent submission date. Provided that the application is complete, the following shall occur.
  - [a] *Planning staff review.* Sketch plans for development requiring major subdivision review shall be reviewed by the planning department for compliance with the requirements of this chapter.
  - [b] *Development review team.* The planning department shall present sketch plans for developments requiring major subdivision review to the development review team. Within thirty (30) days of receipt from the planning department, the development review team shall review the sketch plans for compliance with existing federal, state, and local laws as well as compatibility with the county's comprehensive plan. The development review team shall take one of the following three (3) actions on the application within fifteen (15) days of reviewing the sketch plan:
    - [1] *Approval by development review team.* If the sketch plan is approved by the development review team, the planning department shall notify the applicant and transmit the sketch plan to the planning commission for their information only.
    - [2] *Conditional approval by development review team.* If the sketch plan receives conditional approval, the applicant shall revise the plan based upon the conditions of the approval and resubmit it. The revised plan shall be reviewed by the planning department, and if it meets all of the review team conditions, the sketch plan shall be transmitted to the Richland County Planning Commission for their information. Conditional approval may also be appealed to the planning commission subject to the procedures for a public hearing set forth in subsections 2. and 3. below.
    - [3] *Denial by development review team.* If the sketch plan is denied, the reasons for denial shall be provided to the applicant. The sketch plan may be revised to address the reasons for denial and resubmitted in accordance with the provisions of this chapter. The denial may also be appealed to the Richland County Planning Commission, subject to the procedures for a public hearing set forth in subsections d.2. and d.3. below, and the payment of any fees established by the Richland County Council.

Appeals shall only be filed by the applicant, a contiguous landowner, or an adjacent landowner, and must be filed within fifteen (15) days of the date the decision is received by the applicant for a land development permit.

For **major subdivisions (preliminary subdivision plans)**, staff review is as follows [Section 26-54 (c) (3) e. 2.]:

2. *Staff review.* The planning department shall review the preliminary plan submittal and determine if it is complete. The applicant shall be notified within ten (10) days of submittal as to whether or not the application is complete. Provided that the application is complete, the following shall occur:
  - [a] *Planning staff review.* Preliminary plans for development requiring major subdivision review shall be reviewed by the planning department for compliance with the requirements of this chapter and conformity with the approved sketch plan.
  - [b] *Development review team.* Within three (3) days of mailing written notice to the applicant that the preliminary subdivision plan is complete, the department shall transmit the plan package to the appropriate development review team members for review and comment. These members shall review and get comments back to the planning department within fifteen (15) days.

No later than fifteen (15) days after receipt of all review team comments and/or permit approvals, the planning department shall transmit a report and recommendations to the applicant. Said report shall approve, approve with conditions, or deny the preliminary subdivision plan application based on written findings of fact. Approval of the preliminary subdivision plan shall not constitute final or bonded subdivision plat approval (see Sections 26-54(b)f. and g. below). Failure on the part of the planning department to act on the preliminary plat within sixty (60) days shall constitute approval.

For **major subdivisions (bonded subdivision plans)**, staff review is as follows [Section 26-54 (c) (3) f. 2.]:

2. *Staff review.* The planning department shall review the bonded plan submittal and determine if it is complete. If the application is incomplete, the planning department shall notify the applicant of the deficiencies within thirty (30) days after the most recent submission date. Provided that the application is complete, the following shall occur:
  - [a] *Planning staff review.* Bonded plans for development requiring major subdivision review shall be reviewed by the planning department for compliance with the requirements of this chapter and conformity with the approved sketch plan and preliminary plan.
  - [b] *Development team review.* As needed, bonded plans for major subdivisions shall be reviewed by members of the county's development review team for compliance with the requirements of this chapter and other applicable county codes. No formal team review shall be required.

The planning department shall approve, approve with conditions, or deny the bonded subdivision plan application based on written findings of fact. Approval of the bonded subdivision plan shall not constitute final subdivision plan approval (see subparagraph g. below on final subdivision plan approval). Failure on the part of the planning department to act on the bonded plat within sixty (60) days after receiving a complete application shall constitute approval.

**NOTE: It would take a very careful review of the Land Development Code (Chapter 26 of the Richland County Code of Ordinances) to craft the language necessary to eliminate the DRT and then place the Planning Commission as the reviewing body. If it is Council's desire to move in this direction, staff will begin drafting the ordinance for Council's review.**

**C. Financial Impact**

None.

**D. Alternatives**

1. Approve the request and direct staff to create an ordinance eliminating the DRT and placing the Planning Commission as the reviewing body.
2. Do not approve the request.

**E. Recommendation**

This request is at Council's discretion.

Recommended by: Honorable Norman Jackson

Date: 10/4/11

**F. Approvals**

**Finance**

Reviewed by: Daniel Driggers

Date: 10/13/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: The ROA is a request for a policy change related to structure without financial implications

**Planning**

Reviewed by: Amelia R. Linder

Date: 10/13/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: It should be noted that the DRT is comprised of professional staff, with each staff member bringing a high level of expertise with them in their review of the specifics of each project. The DRT also allows the development community the opportunity to discuss the specifics of the project with staff and to gain a better understanding of the requirements of the codes that staff enforces. In addition, members of the DRT can meet individually with the applicant to discuss requirements and alternatives for the particular aspects of the project.

Also, it is my understanding that when projects were previously brought before the Planning Commission, the level of notification provided to the public was less than what is currently provided by the DRT. Because the review of the projects didn't require a public hearing, the subject parcels were not posted, nor was it advertised in the newspaper. On the other hand, agendas for the DRT meeting are emailed to each member of the County Council, with the specific County Council district of the project identified. Also, as required by the Land Development Code, the results of the DRT meeting are forwarded to the PC.

**Legal**

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

**Administration**

Reviewed by: Sparty Hammett

Date: 10/19/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: I agree with Ms. Linder that when projects were previously brought before the Planning Commission, the level of notification provided to the public was less than what is currently provided by the DRT. Because the review of the projects didn't require a public hearing, the subject parcels were not posted, nor was it advertised in the newspaper.

# Richland County Council Request of Action

**Subject**

Proposed Amendment to Settlement agreement with Northeast Landfill (pages 52-149)

**Reviews**

## Richland County Council Request of Action

**Subject:** Proposed Amendment to Settlement Agreement with Northeast Landfill

### **A. Purpose**

The purpose of this item is to request the County Council's consideration of a proposed amendment to the Settlement Agreement between Richland County and the Northeast Landfill.

### **B. Background / Discussion**

In 2005, Richland County amended its Solid Waste Management Plan, the result of which, among other things, prohibited the expansion of existing landfills in the County. Following the amendment, the Northeast Landfill (owned at the time by Allied Waste, now owned by Republic Services) filed an application to the South Carolina Department of Health and Environmental Control (DHEC) for the expansion of the Landfill's disposal facility off of Highway 601 in Lower Richland.

DHEC, of course, denied the application as it was inconsistent with the County's newly revised Solid Waste Management Plan. As a result, the Northeast Landfill sued the County, claiming that the amended Solid Waste Management Plan was unlawful.

The lawsuit ultimately ended in a Settlement Agreement in 2007 in which the Landfill was granted the authority to expand its Lower Richland facility; however, the Landfill agreed to permanently close the facility ten years following the issuance of the DHEC permit. As part of the Settlement Agreement, the Landfill also agreed to pay Richland County a host fee of \$1 per ton for all waste it accepted from outside of Richland County.

Recently, Northeast Landfill representatives approached County officials about a potential amendment to the Settlement Agreement with the goal of removing the ten-year cap on the life of the Landfill and allowing the Landfill to continue to operate until its capacity is exhausted, which would be approximately thirty years according to Landfill officials. In exchange, the Landfill has offered the following:

- Continue to pay the County \$1 per ton for all out-of-county waste accepted, through the remaining life of the original Settlement Agreement (2018).
- Immediately begin to pay the County \$.50 per ton for all in-county waste, and continue to do so for the life of the Landfill.
- Increase the out-of-county host fee by \$.50 per ton, making the total out-of-county host fee \$1.50 per ton, beginning in 2019 (the end date for the original Settlement Agreement) and continuing through the life of the Landfill.
- Begin paying the Old McGraw Community Development Corporation, the organization representing the communities closest to the Landfill, \$.50 per ton for

both in-county and out-of-county waste, to continue through the life of the Landfill.

Based on figures provided by the Landfill, 175,000 tons were accepted in 2010, 50,000 of which came from outside of Richland County, making the host fee approximately \$50,000 in that year. Attached is a spreadsheet which illustrates the increase in revenue to the County under the Landfill's proposal.

One final component of the Landfill's proposal is that it would purchase the Cook's Mountain property, which is approximately two miles from the Landfill site. The conservation easement that currently exists on the property would continue in perpetuity.

A copy of the Landfill's entire proposal is attached.

If the Council were to accept the proposal from Northeast Landfill, two things must happen: (1) the County's Solid Waste Management Plan would have to be revised in order to remove the existing ten-year cap on the Landfill; and (2) the Settlement Agreement from 2007 would have to be amended, both of which can be achieved with one reading by the Council.

### **C. Financial Impact**

Under the existing proposal from the Northeast Landfill, the County's revenue would increase from approximately \$50,000 per year to the amounts shown on the attached financial spreadsheet. The numbers reflected assume that the current disposal rate of 175,000 tons per year continue throughout the life of the Landfill. Of course, the amount of revenue would be determined by the actual number of tons that the Landfill accepts each year.

### **D. Alternatives**

1. Approve the proposal from Northeast Landfill, which would remove the existing ten-year cap and allow the Landfill to continue to operate until its capacity has been exhausted, and which would extend the host fee as indicated above.
2. Approve the proposal from Northeast Landfill, which would remove the existing ten-year cap and allow the Landfill to continue to operate until its capacity has been exhausted, but negotiate a host fee amount other than what the Landfill has proposed.
3. Do not approve proposal from Northeast Landfill and leave the existing Settlement Agreement in place, which would require the Landfill to shut down operations in 2018 whether or not its capacity has been exhausted. This alternative would have no impact on existing revenues.

**E. Recommendation**

The County Council has taken a policy position on this issue in the past, that position being the adoption of the provisions of the Settlement Agreement which, among other things, requires the Northeast Landfill to cease operations by the year 2018. Unless the Council wishes to change that position, then there is no need to amend the Settlement Agreement as is being requested.

If, however, the Council decides to reconsider its earlier position, then it is recommended that the following terms be included in any renegotiated Agreement:

- There will be no expansions beyond the current permitted footprint capacity of the Landfill, i.e., once the existing capacity is exhausted, no further expansions can occur.
- The host fee will be increased to an amount acceptable to the County Council and to the Landfill, with the final amount to be determined through negotiations.
- Any incentives to be provided to the surrounding community(ies) by the Landfill will be handled directly between those two parties and kept separate from the County’s renegotiated Settlement Agreement.

By: Tony McDonald, Administration

Date: August 30, 2011

**F. Reviews**

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing. Thank you!)

**Solid Waste**

Reviewed by: Paul Alcantar

Date: 10/10/2011

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: The host fee should be increased to an amount acceptable to the County Council and to the Landfill, with the final amount to be determined through negotiations.

**Finance**

Reviewed by: Daniel Driggers

Date: 10/11/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: As stated in the ROA, the County currently has an active agreement with Northeast therefore amendments to the agreement would be a policy decision for Council discretion. However I do support the recommendation of administration above concerning items to be considered if a negotiations move forward.

The request seems to be primarily a County operational concern. Based on the current operation and agreement, the financial impact of the revenues

generated by the agreement to the County, are considered immaterial to the long-term sustainability of the County landfill financial operation.

### **Legal**

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Council has the legal authority to amend the agreement. However, I would concur with the comments of Administration regarding the consideration of any terms of a renegotiated agreement.

### **Administration**

Reviewed by: Tony McDonald

Date: 10/12/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: As indicated above, if the Council wishes to amend its position on the longevity of the Northeast Landfill, it is recommended that the following items be incorporated into the amendment:

- There will be no expansions beyond the current permitted footprint capacity of the Landfill, i.e., once the existing capacity is exhausted, no further expansions can occur.
- The host fee will be increased to an amount acceptable to the County Council and to the Landfill, with the final amount to be determined through negotiations.
- Any incentives to be provided to the surrounding community(ies) by the Landfill will be handled directly between those two parties and kept separate from the County's renegotiated Settlement Agreement.

**NORTHEAST LANDFILL SETTLEMENT AGREEMENT**

**CURRENT AGREEMENT**

	<b>Total Tons</b>	<b>Out-of-County</b>	<b>In-County</b>	<b>Host Fee per Ton for Out-of-County</b>	<b>Host Fee per Ton for In-County</b>	<b>Total Annual Revenue</b>	<b>Total Revenue over Remaining Life of Original Agreement - 7 Years (Thru 2018)</b>
County	175,000	50,000	125,000	\$ 1.00	\$ -	\$ 50,000.00	\$ 350,000.00
Community	0	0	0	\$ -	\$ -	\$ -	\$ -

**PROPOSED AMENDMENT - Part 1**

	<b>Total Tons</b>	<b>Out-of-County</b>	<b>In-County</b>	<b>Host Fee per Ton for Out-of-County</b>	<b>Host Fee per Ton for In-County</b>	<b>Total Annual Revenue</b>	<b>Total Revenue over Remaining Life of Original Agreement - 7 Years (Thru 2018)</b>	
County	175,000	50,000	125,000	\$ 1.00	\$ 0.50	\$ 112,500.00	\$ 787,500.00	
Community	175,000	50,000	125,000	\$ 0.50	\$ 0.50	\$ 87,500.00	\$ 612,500.00	
Additional County Revenue (Over Amt. from Original Settlement Agreement)							\$ 62,500.00	\$ 437,500.00

**PROPOSED AMENDMENT - Part 2**

	<b>Total Tons</b>	<b>Out-of-County</b>	<b>In-County</b>	<b>Host Fee per Ton for Out-of-County</b>	<b>Host Fee per Ton for In-County</b>	<b>Total Annual Revenue</b>	<b>Total Revenue over Life of Extended Agreement - 23 Years (2019 thru 2041)</b>	
County	175,000	50,000	125,000	\$ 1.50	\$ 0.50	\$ 137,500.00	\$ 3,162,500.00	
Community	175,000	50,000	125,000	\$ 0.50	\$ 0.50	\$ 87,500.00	\$ 2,012,500.00	
Additional County Revenue (Over Amt. from Original Settlement Agreement)							\$ 250,000.00	\$ 3,950,000.00



ATTORNEYS AT LAW

Reply To  
WESTON ADAMS, III  
Direct Dial: (803) 227-2322  
wadams@mgclaw.com  
COLUMBIA

September 26, 2011

**VIA HAND-DELIVERY**  
The Office of Richland County Council  
2020 Hampton Street  
Columbia, South Carolina 29201

Re: Northeast Landfill, LLC

Dear Larry, Milton, and Tony,

I am writing you on behalf of my client Northeast Landfill, LLC (NEL) in regard to our ongoing negotiations with the County regarding NEL. Several new issues have arisen that merit the County's consideration, which we describe below for your review.

At the County's suggestion, we recently met several times with the Old McGraw Community and the Lake Dogwood Community (Communities) through their representatives on the Old McGraw Community Development Corporation (OMCDC) to ascertain their view of our proposal to you described in my letter of July 13, 2011. Under that proposal, NEL offered to increase the host fee paid to the county from \$1 per ton on out-of-county waste, to \$1 per ton on both in- and out-of-county waste. As you know, that proposal to include both in- and out-of-county waste was intended to be paid directly to the County, and was intended to take care of the needs of both Richland County and the these Communities, with the County sharing the proceeds with the Communities. In response to the proposal that the County be the medium through which the Communities received their payments, the County expressed its desire that NEL not deliver any payments to the Communities through the County but, instead, provide those payments directly to the Communities. At the County's suggestion, we therefore met with OMCDC, which is that area's only community group, to discuss the NEL matter. OMCDC is recognized by the neighborhood as its area leadership group. OMCDC believes that it should directly receive 50 cents per ton on both in- and out-of-county waste because, in OMCDC's view, the Communities are the neighborhoods most affected by the presence of NEL by virtue of being closer to the landfill than any other neighborhoods. Because OMCDC's preference is to receive the money directly, and that desire appears to match the wish of many in County government, my client proposes that 50 cents per ton be paid directly from my client to OMCDC.

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Item# 8

Attachment number 1  
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My client is in the process of working out the details of an agreement with OMCDC, along the lines outlined above. Any agreement my client signs with OMCDC would not require County Council approval, but because this entire matter is of obvious interest to Council, my client wants to keep Council informed of its discussions with OMCDC.

As for the host fees to be paid to the County, my client proposes the following. The County currently receives \$1 per ton on out-of-county waste only, and receives no payment on in-county waste. NEL proposes to continue to pay the County that \$1 per ton on out-of-county waste until January 1, 2019. My client further proposes that on January 1, 2019, it would increase the out-of-county host fee payable to the County from the current \$1 per ton to \$1.50 per ton. Further, as to in-county waste, NEL offers the County 50 cents per ton on in-county waste, which would start immediately upon execution of an amendment to the Settlement Agreement between NEL and the County, and would run for the extended life of the landfill beyond the current 7 year life. NEL estimates that the extended life of the landfill would be an additional 23 years on top of the remaining 7 years of landfill life.

To summarize both the proposed agreements with OMCDC and with the County, from the time of execution of the County and OMCDC agreements until January 1, 2019, NEL would pay OMCDC 50 cents per ton on all waste, while the County would receive \$1 per ton on out-of-county waste, and 50 cents per ton in-county waste. Starting on January 1, 2019, NEL would pay: 1) the County \$1.50 per ton on out-of-county waste; 2) the County 50 cents per ton on in-county waste; and 3) OMCDC 50 cents per ton on all waste.

NEL's proposal would result in significant revenue increases to the County prior to January 1, 2019. Last year's aggregate yearly host fee payment to the County was roughly \$50,000.00. This amount was based on the fact that, out of the total 175,000 tons disposed of at NEL in 2010, NEL accepted only around 50,000 tons of out-of-county waste. NEL expects the current disposal rates of 175,000 tons per year, out of which 50,000 tons per year will be out-of-county waste, to remain roughly the same for the foreseeable future. If those rates remain constant and no extension of landfill life is granted to NEL, then NEL would pay the County around a total of \$350,000.00 over the remaining 7 year life of the landfill before NEL closes and the current Settlement Agreement ends. (7 years at \$50,000.00 per year = \$350,000.00 in total payments. The 10-year limit imposed in 2007 has roughly 7 years remaining at this point in time.) In contrast, assuming current rates of disposal remain constant, if the 10-year landfill life is lifted, and over the next 7 years NEL pays the County \$1 on out-of-county and 50 cents on in-county waste, then NEL would pay the County \$112,500.00 per year for the next 7 years:

- 125,000 tons of in-county waste at 50 cents per ton generates \$62,500.00 per year;
- 50,000 tons of out-of-county waste at \$1 per ton generates \$50,000.00 per year;

- \$62,500.00 per year for in-county + \$50,000.00 for out-of-county = \$112,500.00 per year;
- \$112,500.00 per year would mean approximately \$787,500.00 to the County over the next 7 years alone,

This is an increase of \$437,500.00 over the \$350,000.00 that the County is currently set to receive over that 7 year period.

More importantly, NEL's increased payments would result in even greater revenue increases after January 1, 2019. If the 7 year life limit is lifted, NEL estimates that it would have an estimated additional 23 years of life to fill its permitted envelope, for a total of 30 years. Again, assuming the present rate of disposal remains current over the extended life of the landfill, the yearly payment to the County would be \$137,500.00 per year for the added 23 years of landfill life:

- 125,000 tons of in-county waste at 50 cents per ton generates \$62,500.00 per year;
- 50,000 tons of out-of-county waste at \$1.50 per ton generates \$75,000.00 per year;
- \$62,500.00 per year for in-county + \$75,000.00 for out-of-county = \$137,500.00 per year;
- \$137,500.00 per year for 23 years would mean \$3,162,500.00 to the County over that added 23 year period.

Add the \$787,500.00 that NEL would pay the County for the 7 years preceding January 1, 2019, to the \$3,162,500.00 that NEL would pay the County in the 23 years following January 1, 2019, and the total payment to the County would be \$3,959,000.00 over the 30 year life of the landfill. Compare that total payment of \$3,959,000.00 to the County over the estimated total 30 years to the \$350,000.00 that NEL is set to pay the County if the facility closes in 7 years, and the added value to the County of extending the landfill's life is \$3,609,000.00. Also, note that NEL's annual permitted rate of disposal (set by DHEC) is 529,600 tons per year. As such, the annual payment to the County over the 30 year window could go significantly higher in any given year if the disposal rate ends up being higher than the currently predicted rate of 175,000 tons per year.

In addition to the benefits the County will realize from increased host fees, lengthening the life of the facility is also in the best interest of the County from a cost of waste disposal perspective. If NEL were to close in 7 years, the Columbia area would be left with only one municipal solid waste landfill, for which there would be no competition. From an economist's point of view, that lack of competition in the waste disposal business would not be ideal for either Columbia businesses or residences.

On a different note, my client would also like to address a question recently raised regarding its plans for the approximately 1131 acre Cook's Mt. property, for which NEL has a

September 26, 2011  
Page 4

pending contract to purchase. My client plans to preserve the property in the same fashion as have the current owners. Under the Conservation Easement, which restricts 1101 acres (all but 30 acres of the 1131 acre property), the owners of the property are limited to farming, timber, and hunting uses, in perpetuity. The property covered under the easement cannot be used for any other purpose, including commercial purposes. This obviously would preclude my client from either expanding any landfill or other commercial operations onto the Cook's Mt. property or from locating another commercial landfill on the property. The Conservation Easement in fact prevents **any** type of commercial business on that 1101 acre property. (Note also that an expansion of NEL onto Cook's Mt. is not only expressly prohibited by the terms of the Conservation Easement, but is also physically impossible, because more than 1 mile of third-party owned land separates NEL from Cook's Mt.) As for the 30 acres not covered by the Conservation Easement, my client has no intention of engaging in any commercial or residential development on that 30 acre tract, and will leave that tract in its current undeveloped state. As soon as possible after closing, my client hopes to resell the entire Cook's Mt. property to a recreational buyer interested in owning conserved property. NEL does not intend to retain ownership of the property.

NEL also would like to address a question recently posed concerning whether NEL has any plans to expand its facility on currently-owned property or any other adjacent property. Note that NEL has no current plans to expand its facility, because it recently completed an expansion in 2008. In fact, no further expansion is possible on the land currently encompassing the facility. Although my client has no current expansion intentions, in order to allay any concerns that the County has in this regard, NEL is willing to consider a contractual agreement with the County that would prohibit any further expansion of the facility.

As to a different environmental issue, that being groundwater quality at NEL, all of the perimeter groundwater monitoring wells surrounding all sides of the facility are in compliance with the legal Maximum Contaminant Levels (MCLs) that govern my client's operation, per the enclosed April 5, 2011 groundwater report that NEL submitted to DHEC. This report inarguably establishes that no off-site migration of groundwater contamination is occurring at NEL. If off-site migration were occurring (which it is not), it would manifest itself in the perimeter wells surrounding the site.

Again, my client appreciates the time that you and County Council have devoted to considering our proposal. We look forward to discussing this matter with you in more detail at a time of your choosing.

September 26, 2011  
Page 5

Best regards,



Weston Adams, III

WA/mar  
Enclosure



HERST & ASSOCIATES, INC.®

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Mr. Laurence M. Leblang  
Hydrogeologist  
Solid Waste Groundwater Section  
Bureau of Land and Waste Management  
SCDHEC  
2600 Bull Street  
Columbia, South Carolina 29201

April 5, 2011

Dear Mr. Leblang:

**2010 Status Report of Corrective Measures  
Northeast Landfill, Richland County, South Carolina  
Solid Waste Permit # 402434-1101**

On behalf of the Northeast Landfill, Herst & Associates, Inc. is submitting one hardcopy and one electronic copy of the 2010 Status Report of Corrective Measures. The corrective measures implemented to remediate low level groundwater impacts include active gas extraction and passive gas venting. The purpose of the report is (1) to provide a brief history and updated summary of the occurrence of volatile organic compounds (VOCs) since approval of the remedy, (2) evaluate the effectiveness of the existing remedial approaches, and (3) to provide recommendations in regards to the present remedial approaches.

**Background**

The Northeast Landfill, Permit No. 402434-1101, is a municipal solid waste landfill located in Richland County, South Carolina. Assessment monitoring has been performed at the facility in response to detections of low level concentrations of VOCs in groundwater samples from monitoring wells adjacent to the Phase 1 Unit. The nature and extent of groundwater impacts has been characterized in several studies and corrective measures implemented.

The following discussion of site background was adopted from the Evaluation of Corrective Measures, compiled by Lorris Environmental, Inc. (LEI) dated April 28, 2010. An investigation into the source of the VOCs, Landfill Gas Source Determination and Assessment Report (LEI, December 20, 1999), provided evidence that the VOC impact resulted from contact between groundwater and landfill gas originating from the Phase 1 Unit.

A landfill Gas Collection & Control System (GCCS), comprised of an active gas extraction system and passive soil-gas vents, was installed as a pro-active measure to alleviate the conditions brought about by the build-up of landfill gas in the Phase 1 Unit. This system has been operating and expanding since January of 2000.

The site conducted an assessment of the occurrence of landfill gas in the Methane Migration Assessment Report (SCS Engineers, January 9, 2006). Based on the results of this assessment, the site submitted the Landfill Gas Collection and Control System Master Plan (SCS Engineers, May 30, 2006). This plan provided a detailed approach to further enhancing the GCCS in order to more

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aggressively extract landfill gas at the site. Detailed reports concerning upgrades and additions to the GCCS during 2007-2009 were included in the following reports: Construction Documentation Report - Landfill Gas Collection & Control System Expansion (SCS Engineers, July 5, 2007) and Construction Certification Report (SCS Engineers, October 15, 2009).

Additions have been made to the facility's GCCS to address the groundwater quality in the areas proximate to monitoring wells MW-6, MW-7/MW-7A/MW-7B, and MW-10/MW-10A. The passive vents wells located south of Phase 1, including VW-2, VW-5, VW-7, VW-10, and VW-14, were connected to the active gas extraction system. Two active extraction wells were installed in the eastern portion of Phase 1, and six active extraction wells were installed in the central and southeastern portions of Phase 2. During August-October 2009, a GCCS Expansion was performed at the facility. The GCCS was significantly enhanced by the addition of fifteen new landfill gas extraction wells and associated landfill gas collection piping. These new system components were located primarily along the southwest and central portions of landfill Phases 2 and 3.

According to SCS Engineers, in 2010 a new flare was installed at the landfill which increased the capacity of the landfill GCCS from 650 scfm to 3,000 scfm.

The detection of low level VOCs commonly associated with landfill gas combined with the observation of significant quantities of landfill gas in the area, the lack of correlation between inorganics in the leachate and the groundwater, and the correlation between VOCs in landfill gas samples and the groundwater, led to the conclusion that landfill gas emanating from the Phase 1 Unit was the source of the impact. The presence of low level VOCs is believed to result from either direct contact between the gas and the groundwater or from the gas adsorbing to the soil in the vadose zone, where it is carried to the groundwater by infiltrating precipitation.

After collecting evidence supporting landfill gas as the source of the impact and presenting this information to the Department, approval was granted to begin an Assessment of Corrective Measures. The Assessment of Corrective Measures & Selection of Remedy (LEI, June 1, 2000) included an analysis of the overall performance and capabilities of potential corrective measures and their effectiveness in meeting the requirements set forth in the Solid Waste Management regulations. Based on the results of the assessment, an Active Gas Extraction and Passive Gas Venting System was determined to be the most effective and efficient remedial option.

Initial analytical data indicated that the GCCS had markedly improved groundwater quality in the area after it was brought on-line. Based on that data, SCDHEC concluded that the corrective measures appeared to be adequately addressing the impact.

During July and August 2008, four impacted monitoring wells were abandoned due to landfill expansion, including MW-4S, MW-9A, MW-10A, and MW-11. New monitoring wells MW-17, MW-18, and MW-19 were installed in July-August 2008 to monitor the same upper hydrostratigraphic unit as the abandoned wells. In a letter dated May 18, 2010, the SCDHEC requested that an additional well be installed near methane monitoring well GMP-13 to monitor potential groundwater contaminant migration. According to Bunnell-Lammons Engineering, Inc., new well MW-20 was installed on November 11, 2010. Well MW-20 was sampled for the first time during the December 2010 event.

This report provides an updated summary of the status of corrective measures and an evaluation of the effectiveness of these actions.

## Results

Two methods were utilized to evaluate the progress and effectiveness of the corrective measures employed to address the impact to groundwater in the area downgradient of the Phase 1 Unit. These methods were: 1) the generation of time versus concentration plots to visualize temporal trends in total and individual VOC concentrations, and 2) a direct comparison of observed VOC concentrations to established SCDHEC maximum contaminant levels (MCLs).

### Time Versus Concentration Plots

Time versus concentration plots have been constructed for each of the facility's current monitoring wells in which VOCs have been confirmed detected. Graphs depicting both the total VOC (TVOC) concentrations and the concentrations of the individual VOCs detected in each monitoring well are provided in Appendix A. Table 1 lists VOCs detected during 2010.

During 2010, wells MW-6, MW-7B, MW-15, and MW-19 exhibited detections of VOCs. The following items summarize the VOC concentrations detected during the 2010 semi-annual events.

- TVOC concentrations at MW-6 continue to increase over time. Well MW-6 is located interior to the facility boundary (non-perimeter well), south of the Phase 1 Unit and east of the Phase 2 Unit. Of the seven VOCs detected during the May and December 2010 events, three (1,4-dichlorobenzene, benzene, cis-1,2-dichloroethylene) indicated recent concentration increases, three (1,1-dichloroethane, trichloroethylene, xylenes) indicated recent stable concentrations, and one (tetrachloroethylene) indicated recent concentration decreases.
- TVOC concentrations have been decreasing at MW-7B since the peak concentration in October 2007 (37.1 ug/L) through the December 2010 event (2.2 ug/L). Only one VOC was detected during a semi-annual event in 2010: cis-1,2-dichloroethylene (2.2 ug/L) during the December 2010 event. A decreasing trend in VOC concentrations is illustrated on the time versus concentration plots for MW-7B. The decreases in VOC concentrations and number of VOCs detected appear to correlate with the implementation of the corrective measures at the site (early 2008 gas extraction system enhancement). Well MW-7B is located interior to the facility boundary (non-perimeter well), southeast of the Phase 1 Unit.
- TVOC concentrations have been decreasing at MW-15 since October 2007 (28.4 ug/L) through the December 2010 event (2.9 ug/L). Only one VOC was detected during a semi-annual event in 2010: 1,1-dichloroethane (2.9 ug/L) during the December 2010 event. A decreasing trend in VOC concentrations is illustrated on the time versus concentration plots for MW-15. The decreases in VOC concentrations and number of VOCs detected appear to correlate with the implementation of the corrective measures at the site (early 2008 gas extraction system enhancement). Well MW-15 is located interior to the facility boundary (non-perimeter well), in the southeast portion of proposed Phase 5A.
- Low level concentrations of VOCs have been detected at MW-19 since the initial sampling event in October 2008. Only 1,1-dichloroethane was confirmed detected at MW-19 during 2010. The TVOC and individual VOC time versus concentration plots for MW-19 exhibit no apparent trends since the first sampling date of October 2008.
- The following wells did not exhibit a confirmed VOC detection in 2010: MW-1R, MW-2, MW-3, MW-12A, MW-14, MW-16, MW-17, MW-18, MW-20, P-21, and P-26.

The time versus concentration plots indicate that the corrective measures implemented have had a positive influence on the groundwater quality at the MW-7B and MW-15 monitoring well locations. Only trace concentrations of 1,1-dichloroethane have been confirmed detected at well MW-19, with no upward trends. It appears the enhancements to the GCCS have not improved groundwater quality at well MW-6. However, well MW-6 is located in the interior portion of the site (not a perimeter well) and is located in close proximity to the Phase 1 and 2 Units. Review of MW-6 data indicates that additional enhancements to the GCCS may be needed in effort to improve groundwater quality at this location.

#### MCL Comparison

Table 1 provides a summary table of VOCs detected during the May and December 2010 events. A comprehensive table of historic confirmed VOC detections for the current groundwater monitoring well network is included in Table 2. Where applicable, the corresponding SCDHEC established MCLs are provided on Table 2.

During 2010, wells MW-6, MW-7B, MW-15, and MW-19 exhibited detections of VOCs. Historically, nine VOCs have been confirmed detected at the site (1,1-dichloroethane, 1,4-dichlorobenzene, benzene, cis-1,2-dichloroethylene, methylene chloride, tetrachloroethylene, trichloroethylene, trichlorofluoromethane, and xylenes). However, methylene chloride has been reported as non-detect since April 2005 and trichlorofluoromethane has been reported as non-detect since October 2006.

The only constituent that exceeded an SCDHEC MCL during a 2010 event was trichloroethylene at MW-6, which is typical of the existing groundwater monitoring well program. Trichloroethylene was initially detected at MW-6 in April 2003, and has been confirmed to exceed the SCDHEC MCL (5 ug/L) since the October 2004 event. Since October 2004, concentrations of trichloroethylene have ranged from 5.1 to 8.6 ug/L at MW-6.

A comparison of tabulated VOC data with the SCDHEC MCLs indicates that the corrective measures employed have had a positive influence on the groundwater quality at the monitoring well locations. Trichloroethylene continues to be detected regularly at levels near or above its MCL in interior monitoring well MW-6, however was not confirmed detected at any other site well (including perimeter wells) during the May or December 2010 events.

#### Conclusions & Recommendations

The time versus concentration plots and MCL comparisons indicate that the corrective measures implemented have had a positive influence on the groundwater quality at the MW-7B and MW-15 monitoring well locations. Only trace concentrations of 1,1-dichloroethane have been confirmed detected at well MW-19, with no upward trends. It appears the enhancements to the GCCS have not significantly improved groundwater quality at well MW-6, as demonstrated by the continued MCL exceedances for trichloroethylene at MW-6. However, well MW-6 is located in the interior portion of the site (a non-perimeter well) and is located in close proximity to the Phase 1 and 2 Units. The remaining wells located around the perimeter of the site did not have MCL exceedances in 2010 or exhibit upward trends. Review of MW-6 data indicates that additional enhancements to the GCCS may be needed in effort to improve groundwater quality at this location.

As indicated in previous submittals, landfill gas is the probable source of much of the low level groundwater impacts at the site. Operation of the landfill GCCS systems has been successful in

removing landfill gas from the vadose zone near the groundwater monitoring wells and lowering the low level VOC concentrations in the groundwater. Overall, VOC concentrations are generally decreasing as a result of corrective actions implemented and in 2010 no VOC MCLs were exceeded at the perimeter monitoring wells.

The selected corrective action remedies are fulfilling the objective of returning the site to compliance within a reasonable time period. Success of the overall remedial program is assisted by efforts to aggressively control landfill gas. Continued operation and maintenance of the landfill GCCS will be ongoing. The landfill GCCS components will continue to be evaluated and adjusted to achieve effective operation. Continued operation of the gas extraction system near MW-6 is recommended. The gas extraction system will be evaluated and adjusted as-needed.

Increased gas extraction in the southern portion of the Phase I Unit is recommended to assist in reducing the source of VOCs in this area. The site intends to evaluate additional proactive approaches to accelerate remediation such as supplementary landfill gas extraction.

Herst & Associates, Inc. recommends continued, yearly evaluation of the corrective measures at the site. The effects of the recent GCCS additions and enhancements on groundwater quality appear to show positive effects. These positive effects should become further apparent as the system continues to operate.

Groundwater quality monitoring is continuing to be conducted semi-annually. The site will continue to monitor the status of corrective measures during the course of routine monitoring. Results of the monitoring program will be reported to the SCDHEC in the regularly scheduled groundwater summary reports and annually in a corrective measures status report.

Below is the required stamp and signature of a qualified professional (i.e. South Carolina registered professional geologist) as outlined in R.61-107.19 Part V, Section 258.50.e. and Part I, Section B.62.

Should you have any questions or concerns, please contact the undersigned at your convenience.

Sincerely,

HERST & ASSOCIATES, INC.



Ward E. Herst, PG  
South Carolina PG No. 2274  
Managing Partner

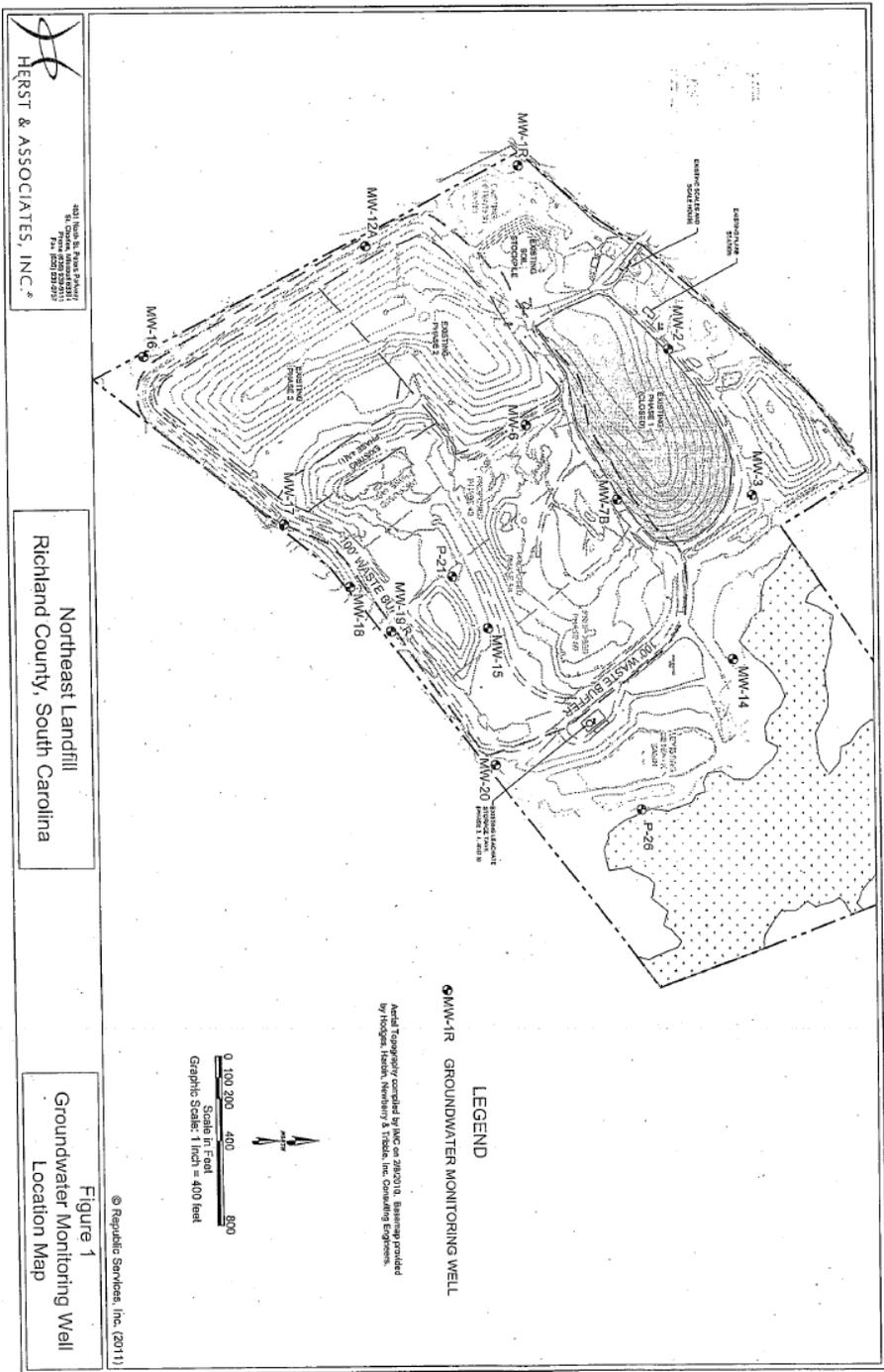


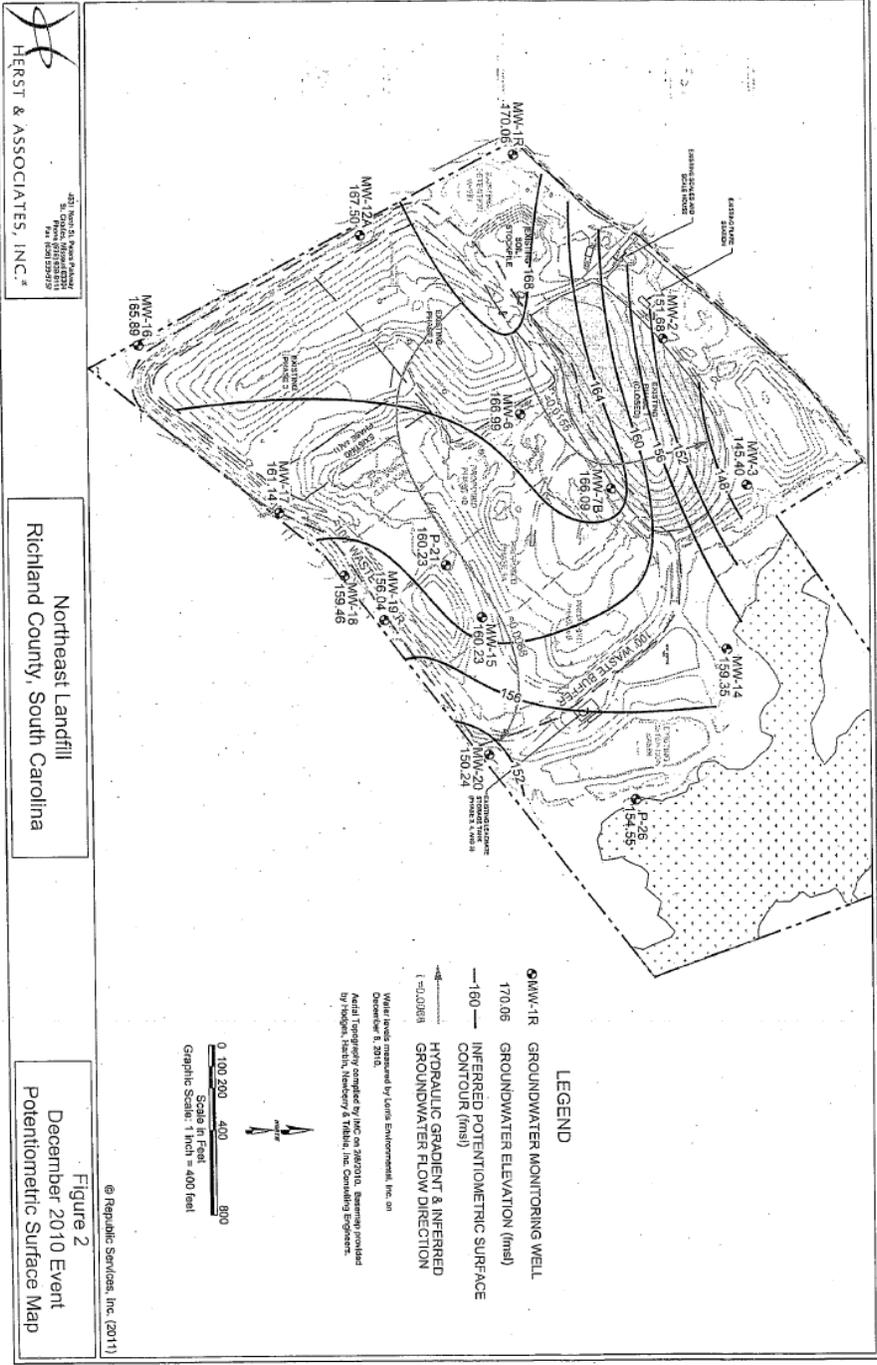
Steve Jett, PG  
South Carolina PG No. 2443  
Senior Hydrogeologist

Attachments: *Figure 1, Groundwater Monitoring Well Location Map*  
*Figure 2, Potentiometric Surface Map*  
*Table 1, VOCs Detected in 2010*  
*Table 2, Historical VOC Summary for Wells with Detections in 2010*  
*Appendix A, Time versus Concentration Plots*

cc: *Clint Courson, Hodges, Harbin, Newberry & Tribble, Inc. (1 Electronic Copy via Email)*  
*Al Peoples, SCDHEC Region 3 (1 Electronic Copy on CD-ROM)*  
*Bart Keller, Northeast Landfill (1 Hardcopy)*  
*Hank Ludwig, Republic Services, Inc. (1 Electronic Copy via Email)*

**FIGURES**





**TABLES**

**Table 1**  
**Detected Volatile Organic Compounds**  
**During 2010**  
**Northeast Landfill**  
**Richland County, South Carolina**

<b>May 2010 Event</b>		
<b>Well</b>	<b>Parameter</b>	<b>Result (ug/L)</b>
MW-6	1,1-Dichloroethane	9.2
	1,4-Dichlorobenzene	27
	Benzene	2.1
	cis-1,2-Dichloroethylene	8.6
	Tetrachloroethylene	2.4
	Trichloroethylene	5.2
	Xylenes (Total)	5.2
MW-19	1,1-Dichloroethane	3.8
	cis-1,2-Dichloroethylene	2.3
<b>December 2010 Event</b>		
<b>Well</b>	<b>Parameter</b>	<b>Result (ug/L)</b>
MW-6	1,1-Dichloroethane	14
	1,4-Dichlorobenzene	64
	Benzene	3.8
	cis-1,2-Dichloroethylene	18
	Tetrachloroethylene	3.6
	Trichloroethylene	7.8
	Xylenes (Total)	11
MW-7B	cis-1,2-Dichloroethylene	2.2
MW-15	1,1-Dichloroethane	2.9
MW-19	1,1-Dichloroethane	2.9

**Table 2**  
**Historical VOC Summary for Wells with Detections in 2010**  
**Monitoring Location MW-6**  
**2010 Evaluation of Corrective Measures**  
**Northeast Landfill**  
**Richland County, South Carolina**

Sampling Date	Volatile Organic Compound Parameters and MCL										Total VOCs
	1,1-Dichloroethene	1,4-Dichlorobenzene	Benzene	cis-1,2-Dichloroethylene	Methylene Chloride	Tetrachloroethylene	Trichloroethylene	Trichlorofluoromethane	Xylenes (Total)	NE 10000	
SCDHEC MCL	NE	75	5	76	5	5	5	NE	10000	—	
10/2/2001	<5	<5	<5	<5	<5	<5	<5	<5	<5	0	
4/22/2002	<5	<5	<5	<5	<5	<5	<5	<5	<5	0	
10/4/2002	<5	<5	<5	<5	<5	<5	<5	<5	<5	0	
4/17/2003	6.4	1.1	<1	<1	5.5	1.2	3.9	1.8	<2	18.9	
10/22/2003	5.8	<1	<1	<1	5.7	2.1	2.2	4.3	<2	23.1	
4/7/2004	8.6	1.4	<1	1.5	3.7	1.9	4.6	1.4	2.5	23.5	
10/19/2004	12.0	5.8	1.2	3.9	2.9	3.4	7.7	2.5	8.9	46.3	
4/14/2005	9.7	6.2	1.1	4.4	<2	2.6	5.5	2.1	9.2	40.8	
8/11/2005	12.0	<1	1.9	8.0	<2	4.1	8.2	1.3	16.7	52.2	
11/22/2005	14.0	13.0	1.8	7.9	<2	3.6	7.8	1.9	14.2	64.0	
4/19/2006	15.0	13.0	2.1	9.4	<2	4.3	8.7	1.4	29	82.9	
10/9/2006	8.9	7.4	<1	5.8	<2	2.3	5.1	<1	8.5	38.0	
4/5/2007	14.9	<1	1.7	7.1	<2	3.4	7.9	<1	14.5	48.7	
10/11/2007	12.1	8.1	1.6	6.5	<2	4.1	6.8	<1	11.4	53.4	
4/15/2008	13.0	11.0	<2	8.0	<5	4.0	8.0	<10	6	48.0	
10/18/2008	14.0	17.0	<2	8.0	<5	4.0	8.0	<10	<5	51.0	
4/9/2009	13.0	18.0	2.1	7.2	<5	3.2	7.2	<10	5.1	55.8	
10/22/2009	13.0	41.0	2.1	13.0	<5	3.7	7.5	<10	17	97.9	
5/10/2010	9.2	27.0	2.1	8.6	<5	2.4	5.2	<10	8.2	122.2	
12/8/2010	14.0	64.0	3.8	18.0	<5	3.6	7.8	<10	11	181.0	

Notes:  
 All units are in µg/L.  
 < - Indicates analyte not detected above laboratory reporting limit.  
 Bolded blue indicates result greater than the SCDHEC Maximum Contamination Limit (MCL)  
 NE - Denotes MCL not established

**Table 2 (Continued)**  
**Historical VOC Summary for Wells with Detections in 2010**  
**Monitoring Location MW-7B**  
**2010 Evaluation of Corrective Measures**  
**Northeast Landfill**  
**Richland County, South Carolina**

Sampling Date	Volatile Organic Compound Parameters and MCL										Total VOCs
	1,1-Dichloroethane	1,4-Dichlorobenzene	Benzene	1,2-Dichloroethene	Methylene Chloride	Tetrachloroethene	Trichloroethene	Trichlorofluoromethane	Xylenes (Total)	10000	
SCDHEC MCL	NE	75	5	70	5	5	5	NE	10000	—	
4/7/2003	<5	<5	<5	<5	<5	<5	<5	<5	<5	0	
12/9/2003	<1	15.0	<1	<1	<2	<1	<1	<1	<2	15.0	
4/8/2004	1.0	3.0	<1	<1	<2	<1	<1	<1	<2	4.0	
10/19/2004	<5	7.5	<5	<5	<5	<5	<5	<5	<5	7.5	
4/14/2005	<1	3.4	<1	1.1	<2	<1	<1	<1	<2	4.5	
1/14/2005	4.5	2.3	<1	1.6	<2	1.3	1.6	<1	<2	11.9	
4/19/2006	3.7	5.5	<1	1.3	<2	<1	1.2	<1	<2	11.7	
10/10/2006	3.7	1.9	<1	1.5	<2	<1	1.2	<1	<1	8.3	
4/6/2007	12.0	9.1	<1	6.2	<2	2.0	4.0	1.5	<2	34.8	
10/11/2007	8.6	16.1	<1	6.5	<2	1.8	3.1	1.0	<2	37.1	
4/14/2008	5.0	<10	<2	<2	<5	<2	<2	<10	<5	5.0	
10/16/2008	4.0	<10	<2	2.0	<10	<2	<2	NS	<5	8.0	
4/9/2009	<2	<10	<2	<2	<5	<2	<2	<10	<5	0	
10/25/2009	<2	<10	<2	<2	<5	<2	<2	<10	<5	0	
5/19/2010	<2	<10	<2	<2	<5	<2	<2	<10	<5	0	
12/9/2010	<2	<10	<2	2.2	<5	<2	<2	<10	<5	2.2	

Notes:  
 All units are in ug/L  
 < - Indicates analyte not detected above laboratory reporting limit.  
 Bolded Blue indicates result greater than the SCDHEC Maximum Contamination Limit (MCL)  
 NE - Denotes MCL not established

**Table 2 (Continued)**  
**Historical VOC Summary for Wells with Detections in 2010**  
**Monitoring Location MW-15**  
**2010 Evaluation of Corrective Measures**  
**Northeast Landfill**  
**Richland County, South Carolina**  
**Volatile Organic Compound Parameters and MCL**

Sampling Date	1,1-	1,4-	Benzene	o,p-	Methylene Chloride	Tetrachloro ethylene	Trichloro ethylene	Trichlorofluoro methane	Xylenes (Total)	Total VOCs
	Dichloroethane	Dichlorobenzene		Dichloroethylene						
SCDHEC MCL	NE	76	5	70	5	5	5	NE	15000	—
10/2/2001	<5	<5	<5	<5	<5	<5	<5	<5	<5	0
4/9/2002	5.2	<5	<5	<5	5.0	<5	<5	<5	<5	10.2
10/4/2002	6.6	<5	<5	<5	<5	<5	<5	<5	<5	6.6
4/21/2003	5.1	<1	<1	1.3	4.1	1.6	2.6	<1	<2	14.7
10/22/2003	9.9	<1	<1	<1	4.1	3.5	4.5	4.2	<2	23.2
4/8/2004	9.3	<1	<1	2.4	<2	3.6	4.8	1.1	1.5	21.7
10/19/2004	7.2	1.8	<1	2.2	<2	3.6	3.5	1.0	1.6	20.9
4/14/2005	6.8	1.7	<1	2.2	<2	3.3	2.7	<1	<2	16.7
8/11/2005	4.6	1.4	<1	1.7	<2	2.7	1.6	<1	<2	12.0
11/02/2005	11.0	2.9	<1	3.9	<2	4.6	4.8	<1	1.7	28.9
4/15/2006	10.0	3.7	<1	3.8	<2	4.1	4.1	<1	3.3	29.0
10/10/2006	9.1	3.3	<1	3.9	<2	3.7	3.8	<1	1.3	25.1
4/4/2007	6.5	2.2	<1	2.2	<2	3.1	2.7	<1	<2	16.7
10/01/2007	11.8	4.3	<1	3.8	<2	4.3	4.4	<1	<2	28.4
4/14/2008	7.0	<10	<2	3.0	<5	3.0	3.0	<10	<5	16.0
10/15/2008	6.0	<10	<2	4.0	<5	3.0	<2	<10	<5	15.0
4/8/2009	5.0	<10	<2	2.3	<5	<2	<2	<10	<5	7.3
10/02/2009	5.5	<10	<2	3.4	<5	<2	<2	<10	<5	6.9
5/6/2010	<2	<10	<2	<2	<5	<2	<2	<10	<5	0
12/9/2010	2.9	<10	<2	<2	<5	<2	<2	<10	<5	2.9

Notes:  
 All units are in ug/L.  
 < - Indicates analyte not detected above laboratory reporting limit.  
 Bolded Blue indicates result greater than the SCDHEC Maximum Contamination Limit (MCL).  
 NE - Denotes MCL not established

Table 2 (Continued)  
 Historical VOC Summary for Wells with Detections in 2010  
 Monitoring Location MW-19  
 2010 Evaluation of Corrective Measures  
 Northeast Landfill  
 Richland County, South Carolina  
 Volatile Organic Compound Parameters and MCL

Sampling Date	11-	14-	Benzene	1,1-	Methylene	Tetrachloro-	Trichloro-	Trichlorofluorom-	Xylenes	Total VOCs
	Dichloroethane	Dichloroethene		Dichloroethene						
SCDHEC MCL	NE	75	5	70	5	5	5	NE	10000	—
10/18/2009	4.0	<10	<2	<2	<5	<2	<2	<10	<5	4.0
4/9/2009	3.5	<10	<2	<2	<5	<2	2.2	<10	<5	5.7
10/22/2009	3.0	<10	<2	<2	<5	<2	<2	<10	<5	3.0
5/6/2010	3.8	<10	<2	2.3	<5	<2	<2	<10	<5	6.1
12/9/2010	2.9	<10	<2	<2	<5	<2	<2	<10	<5	2.9

Notes:  
 All units are in ug/L  
 < - Indicates analyte not detected above laboratory reporting limit.  
 Bolded Blue indicates result greater than the SCDHEC Maximum Contamination Limit (MCL)  
 NE - Denotes MCL not established

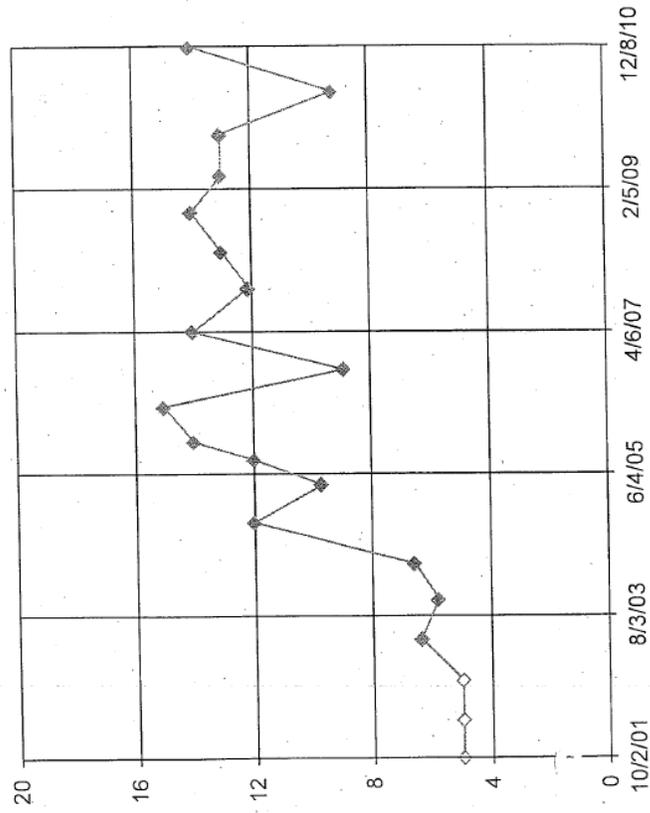
**APPENDICES**

**APPENDIX A  
TIME VS. CONCENTRATION PLOTS**

**Individual Well and Constituent Plots**

v.9.1.21 n/a. JG  
Hollow symbols indicate non-detect values.

### Time Series

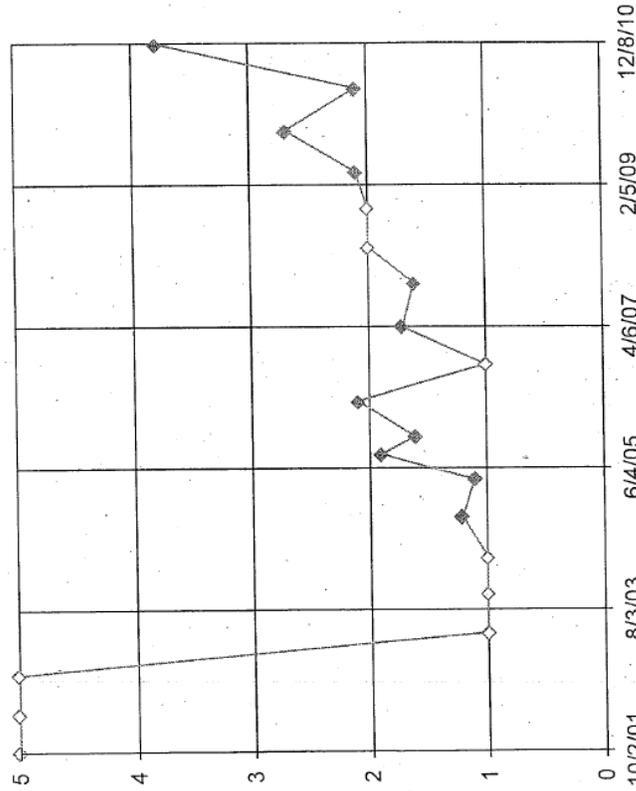


Constituent: 11-Dichloroethane Analysis Run 3/8/2011 9:58 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast



v.9.1.21 n/a. JG  
Hollow symbols indicate non-detect values.

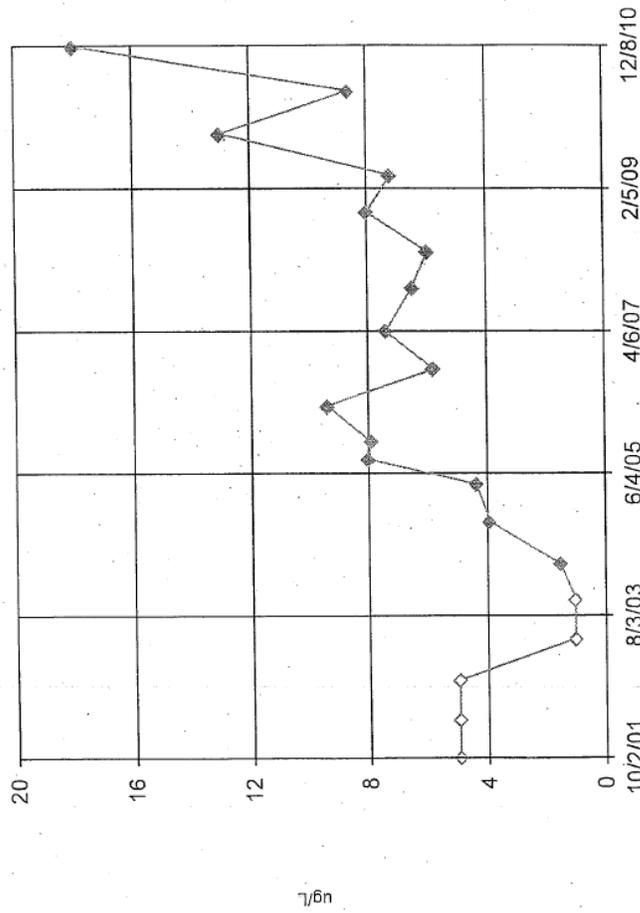
### Time Series



Constituent: Benzene Analysis Run 3/8/2011 9:58 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

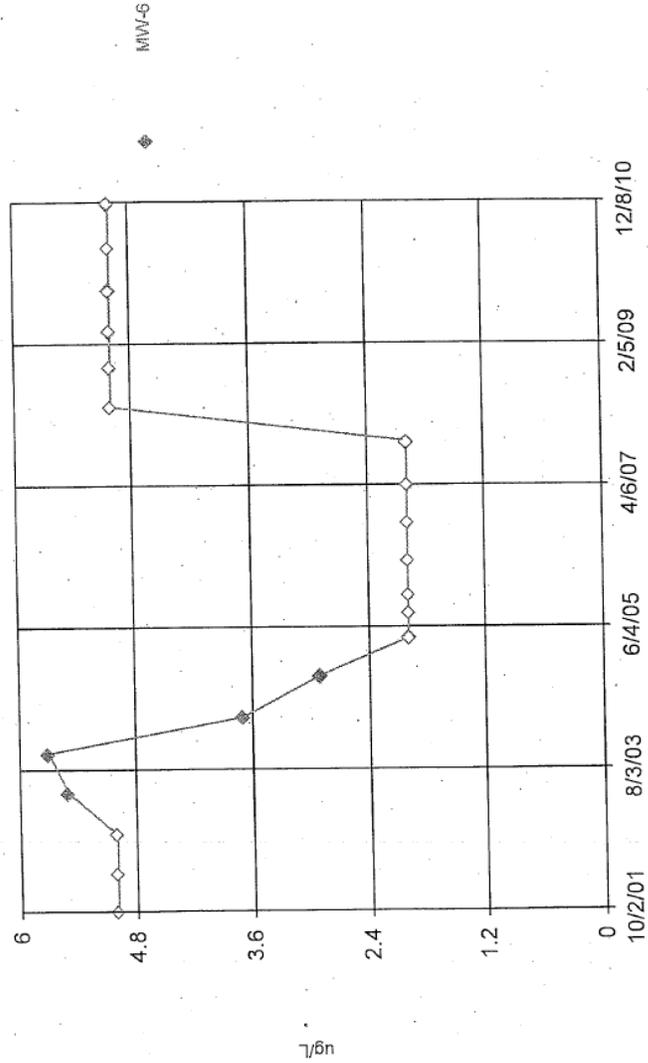
### Time Series



Constituent: cis-12-Dichloroethylene Analysis Run 3/8/2011 9:58 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

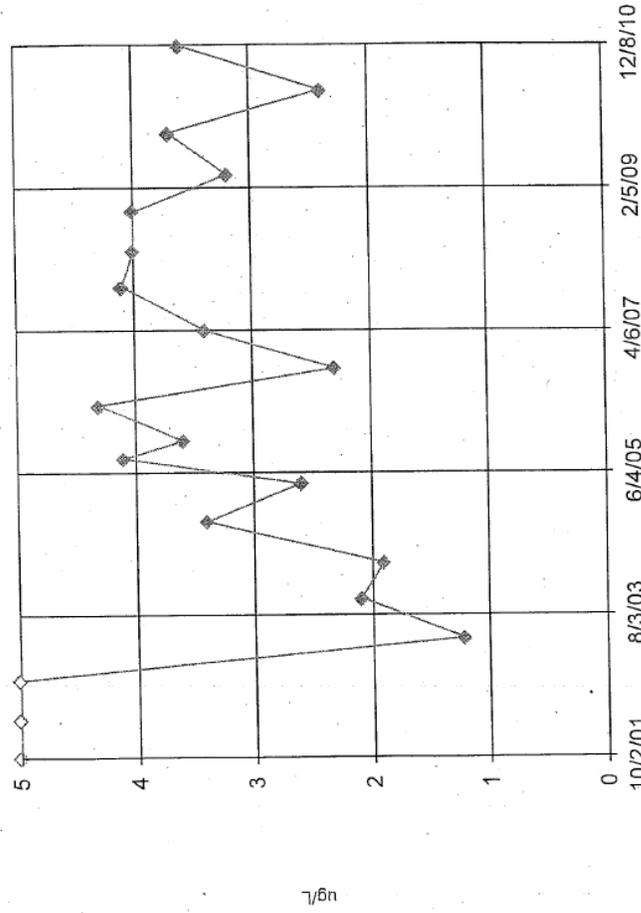
### Time Series



Constituent: Methylene chloride Analysis Run 3/8/2011 9:58 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

### Time Series

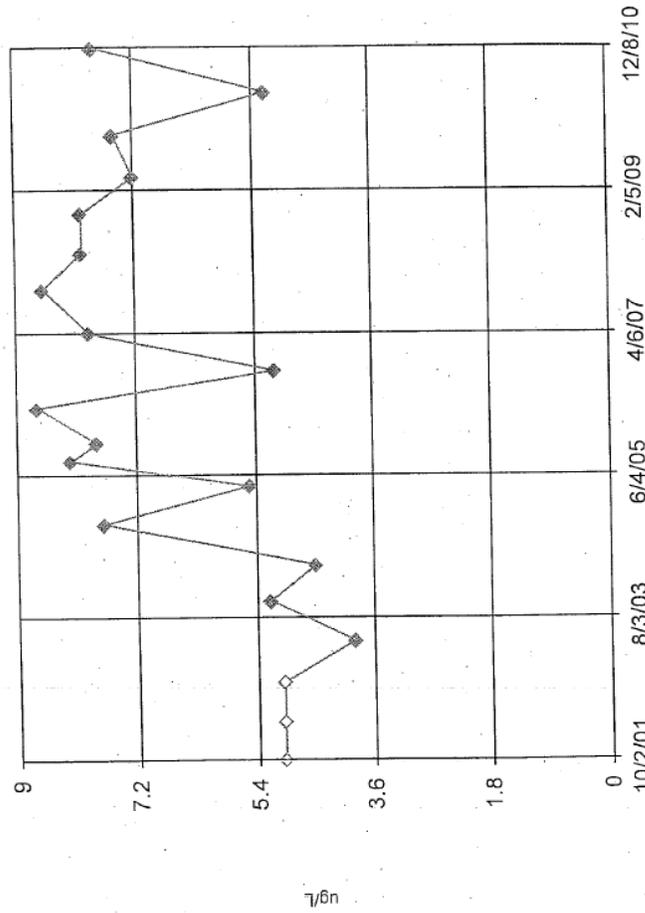


Constituent: Tetrachloroethylene Analysis Run 3/8/2011 9:58 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast



v.9.121 n/a. UG  
Hollow symbols indicate non-detect values.

### Time Series

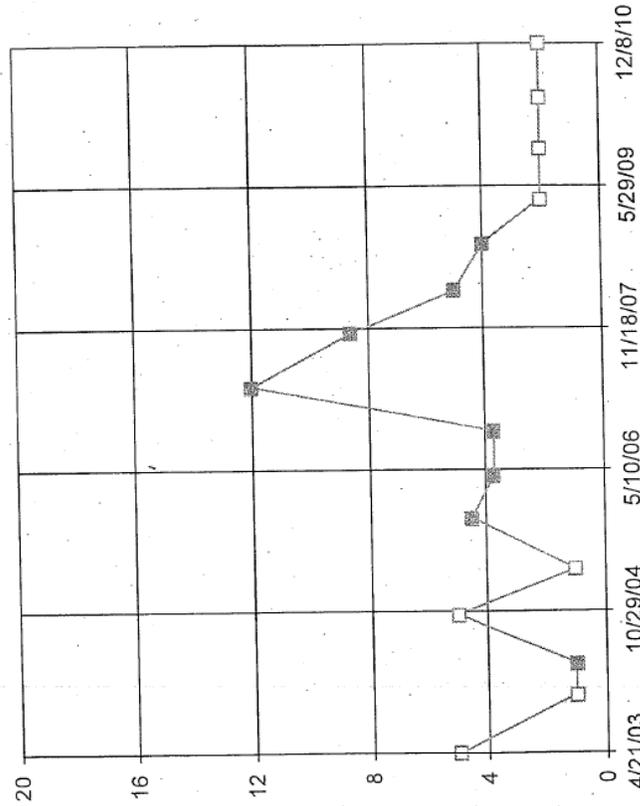


Constituent: Trichloroethylene Analysis Run 3/8/2011 9:58 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast



v.9.121 n/a.UG  
Hollow symbols indicate non-detect values.

### Time Series

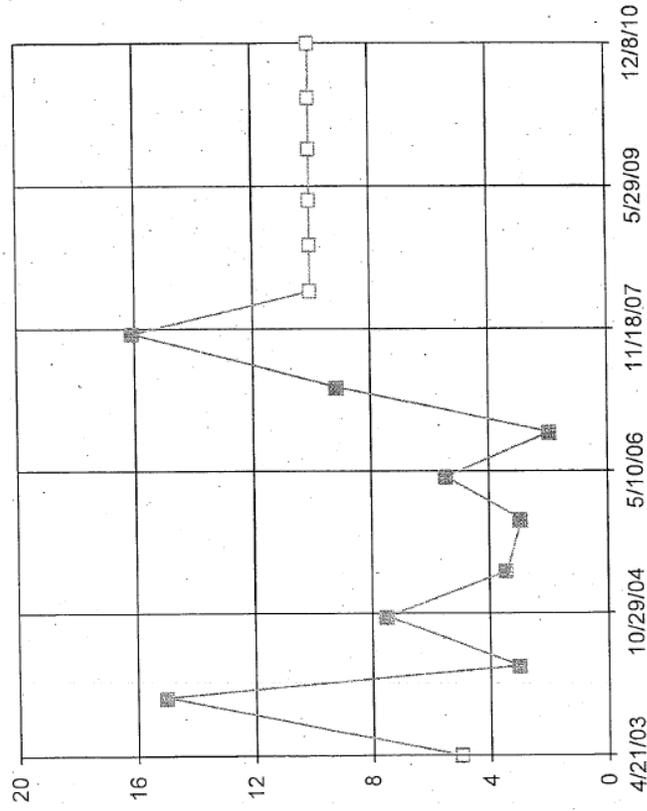


1/6n

Constituent: 11-Dichloroethane Analysis Run 3/8/2011 9:58 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

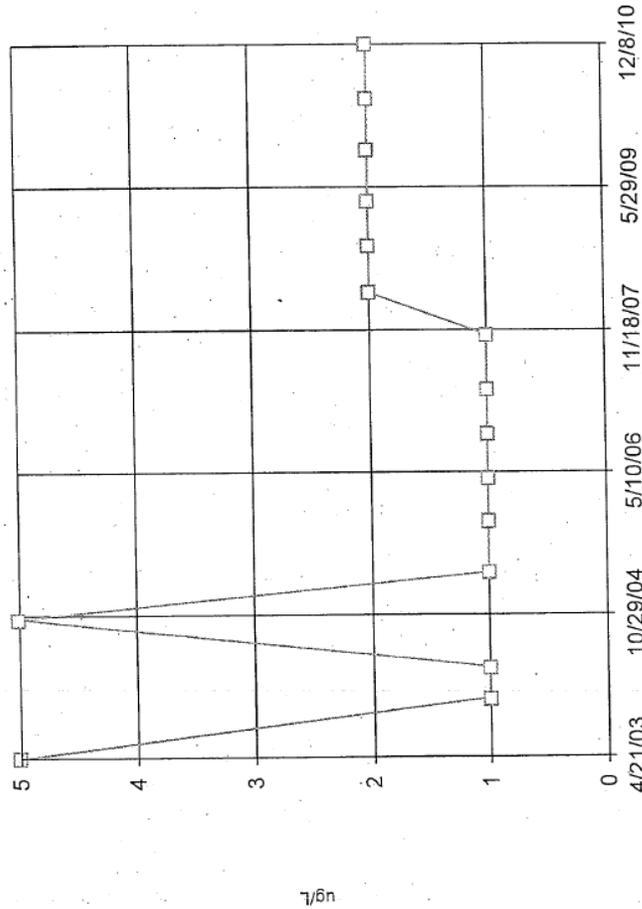
### Time Series



Constituent: 14-Dichlorobenzene Analysis Run 3/8/2011 9:58 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 m.a. UG  
Hollow symbols indicate non-detect values.

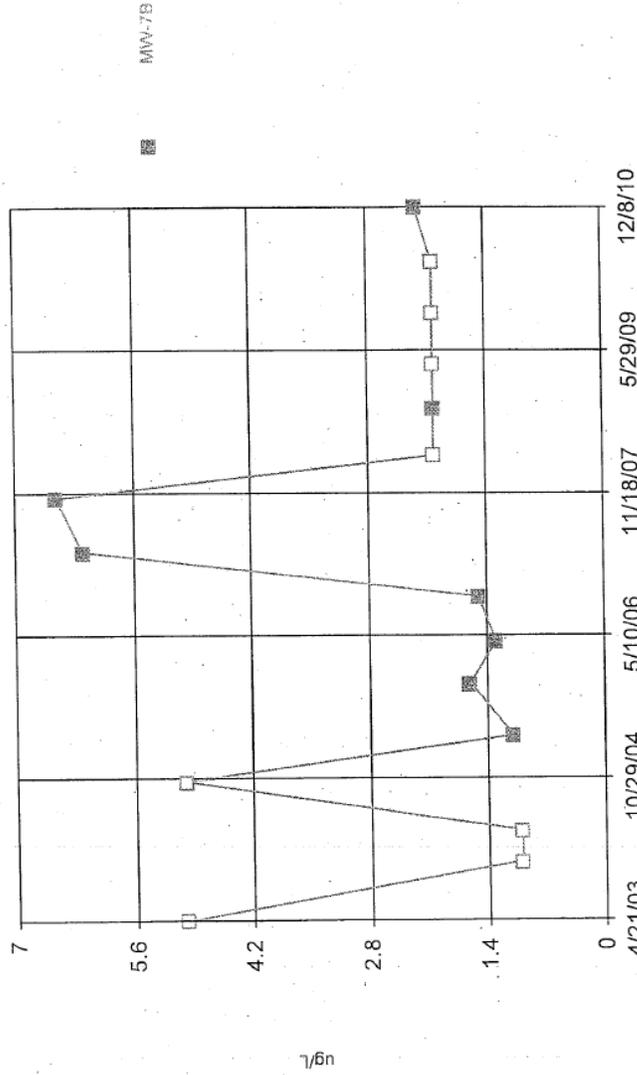
### Time Series



Constituent: Benzene Analysis Run 3/8/2011 9:58 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v9.1.21 n/a UG  
Hollow symbols indicate non-detect values.

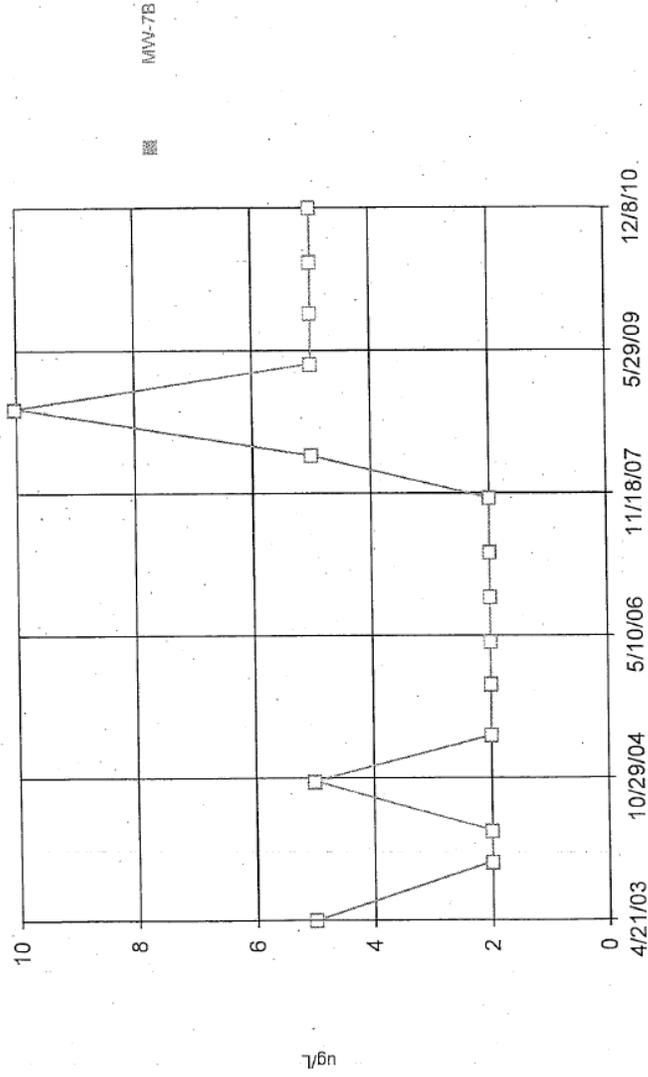
### Time Series



Constituent: cis-12-Dichloroethylene Analysis Run 3/8/2011 9:58 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

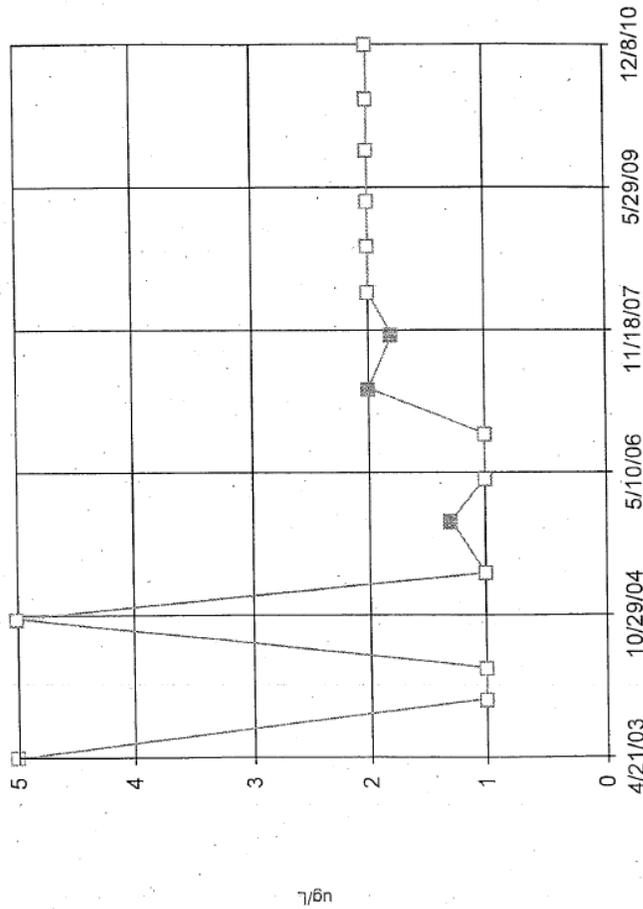
### Time Series



Constituent: Methylene chloride Analysis Run 3/8/2011 9:58 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

### Time Series

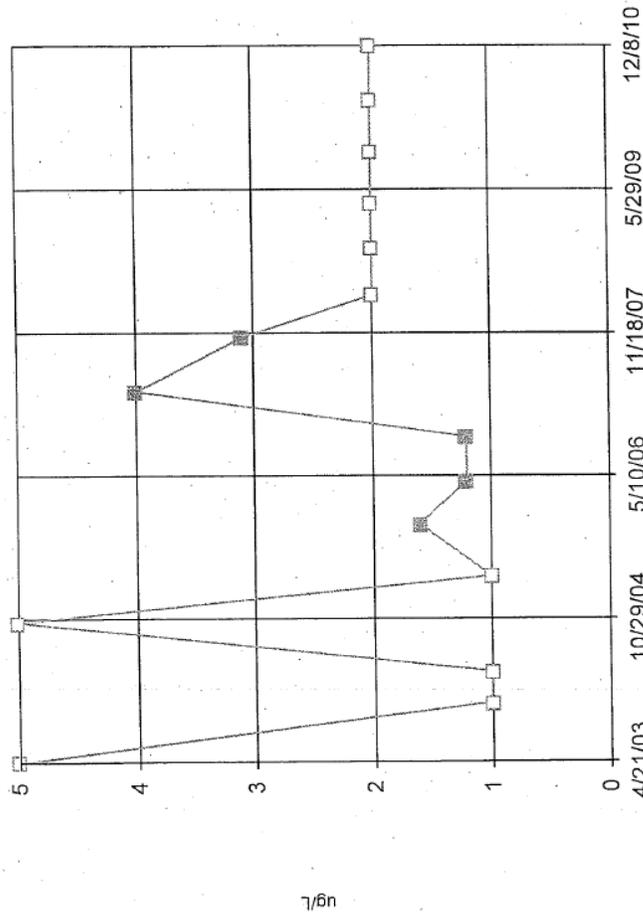


MW-7B

Constituent: Tetrachloroethylene Analysis Run 3/8/2011 9:58 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

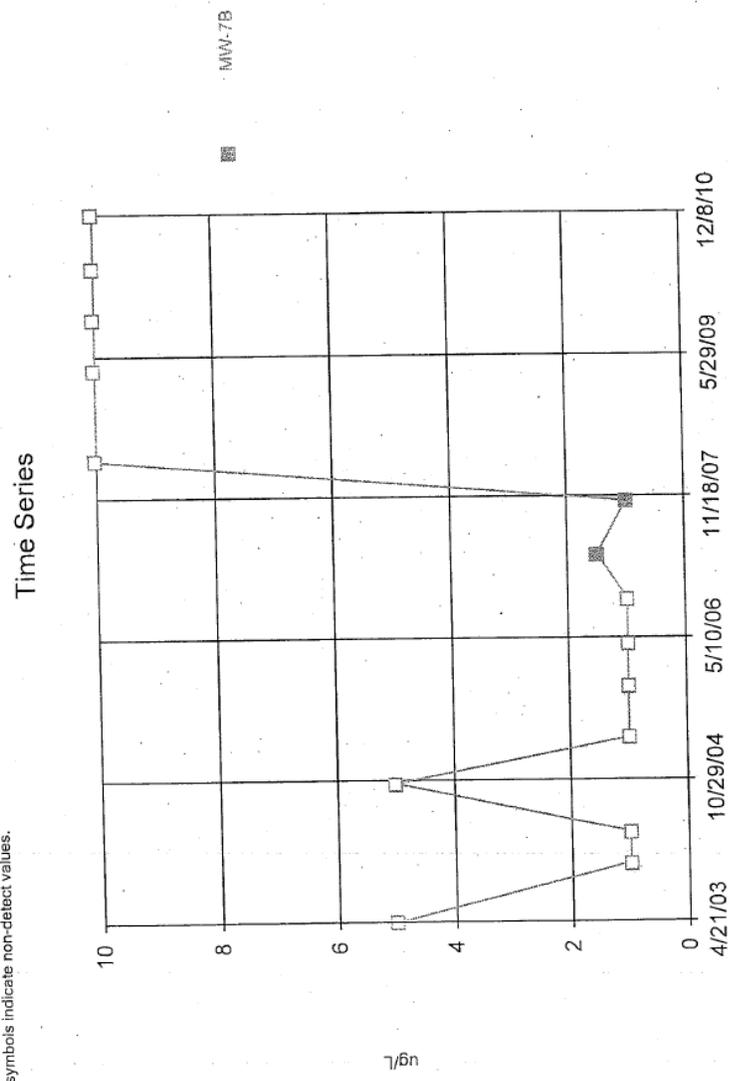
v9.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

### Time Series



Constituent: Trichloroethylene Analysis Run 3/8/2011 9:58 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 r/a, UG  
Hollow symbols indicate non-detect values.

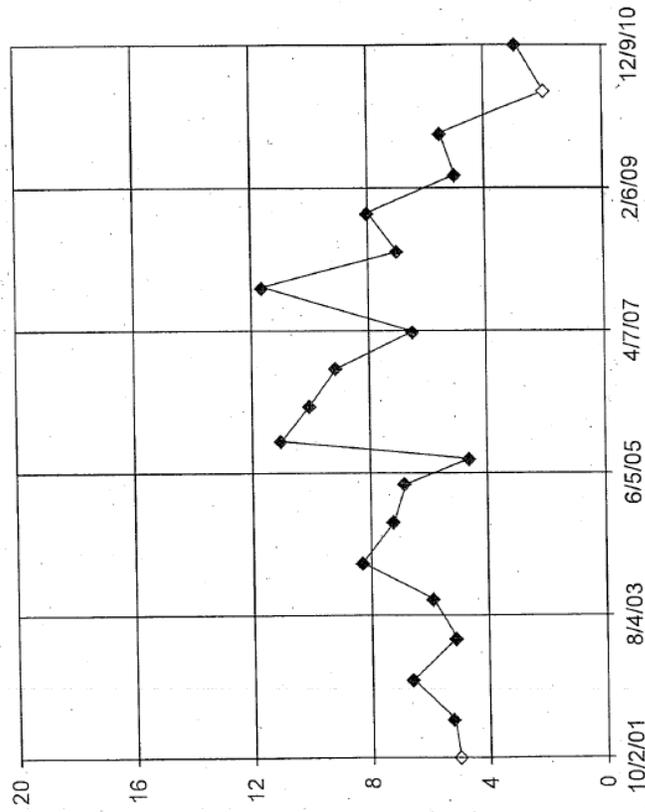


Constituent: Trichlorofluoromethane Analysis Run 3/8/2011 9:58 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast



v.9.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

### Time Series



MW-15

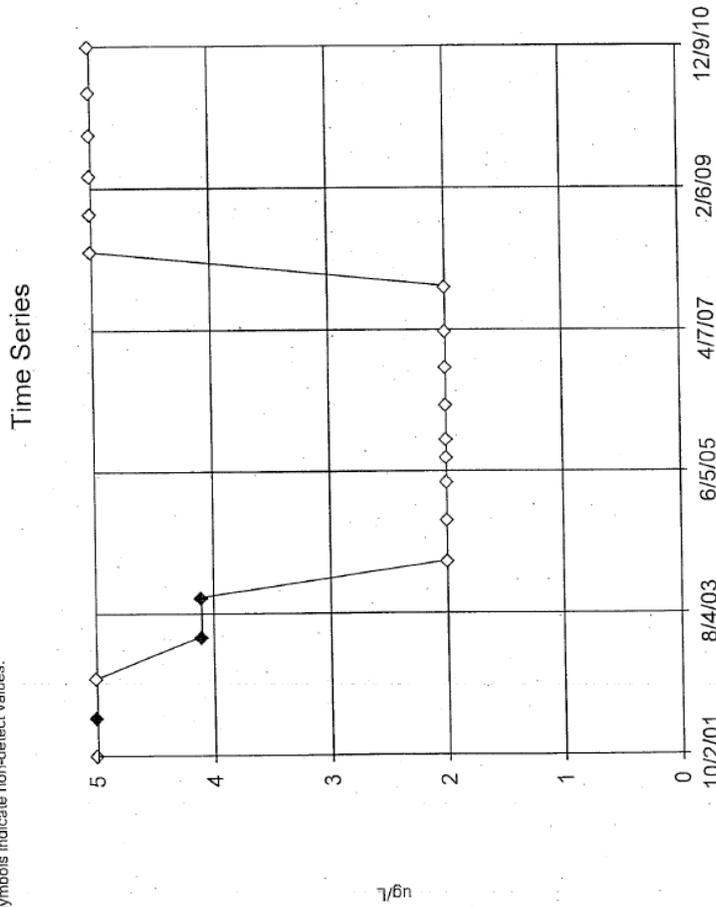
Constituent: 11-Dichloroethane Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast







v.9.121 m.e. UG  
Hollow symbols indicate non-detect values.

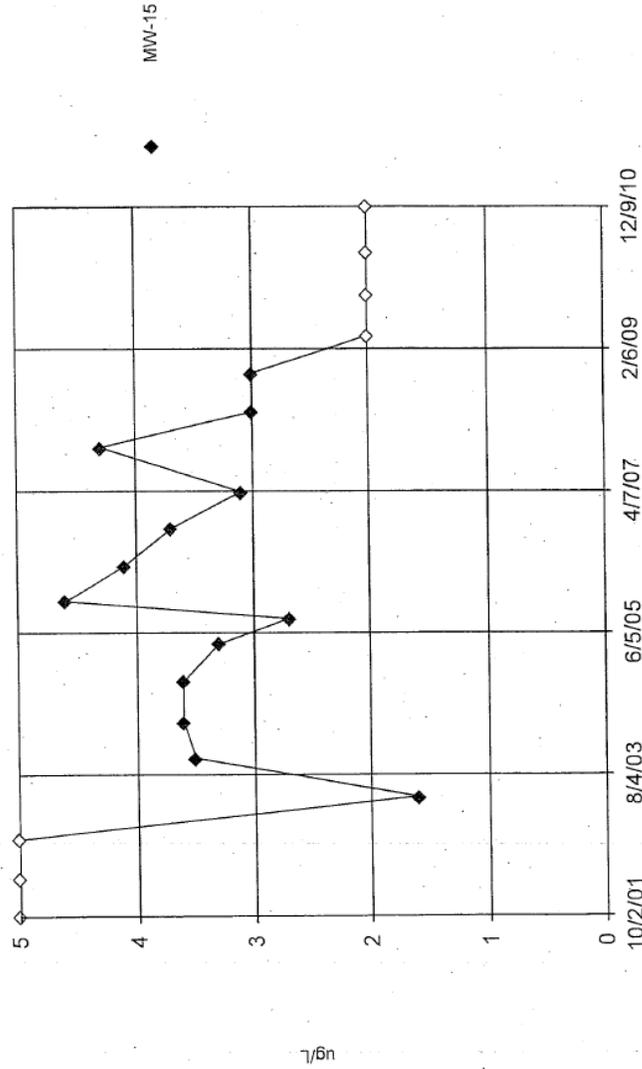


MW-15

Constituent: Methylene chloride Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 m.a.,UG  
Hollow symbols indicate non-detect values.

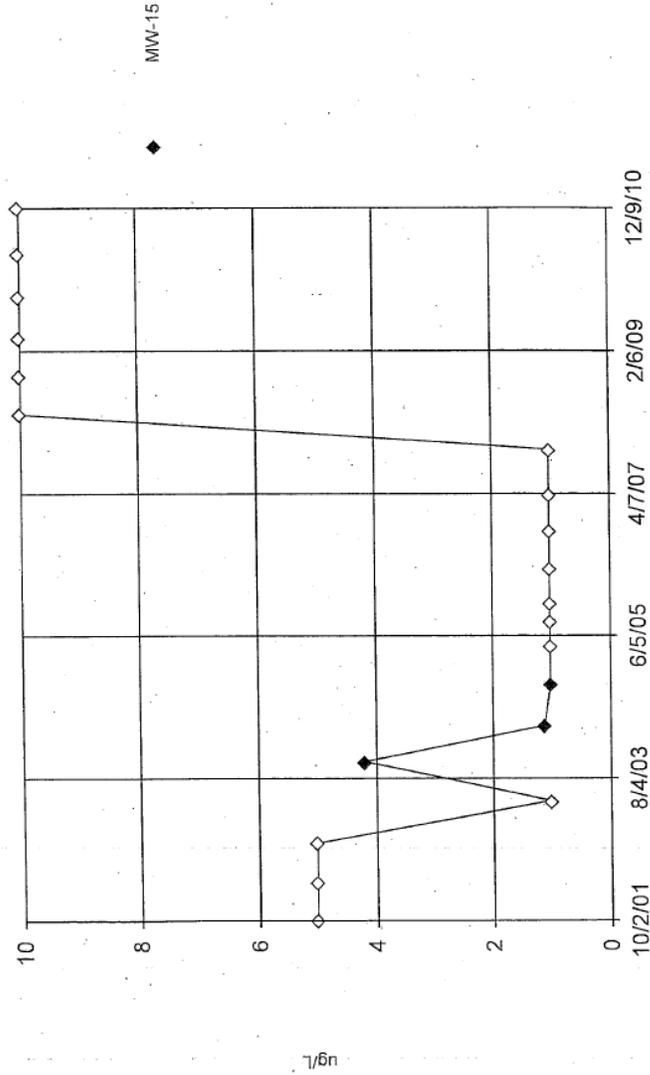
### Time Series



Constituent: Tetrachloroethylene Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

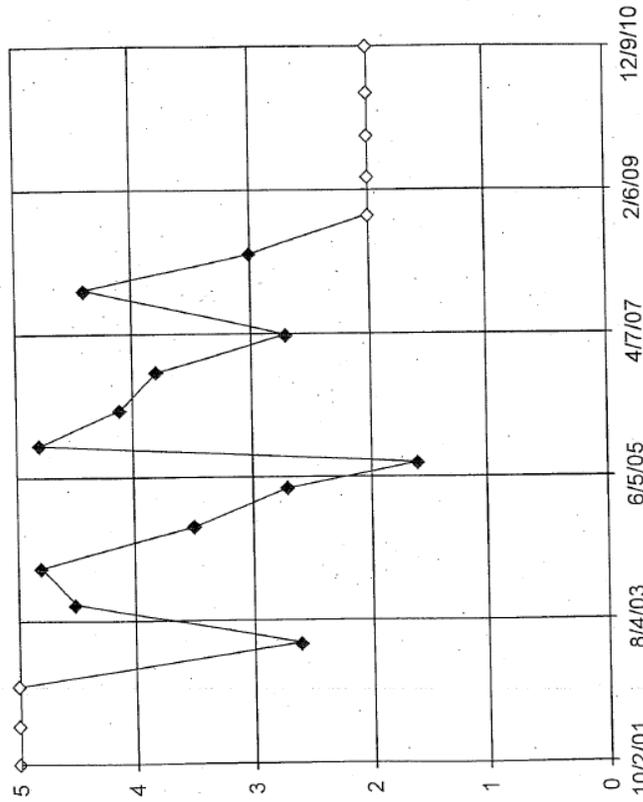
### Time Series



Constituent: Trichlorofluoromethane Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 n/a, UG  
Hollow symbols indicate non-detect values.

Time Series



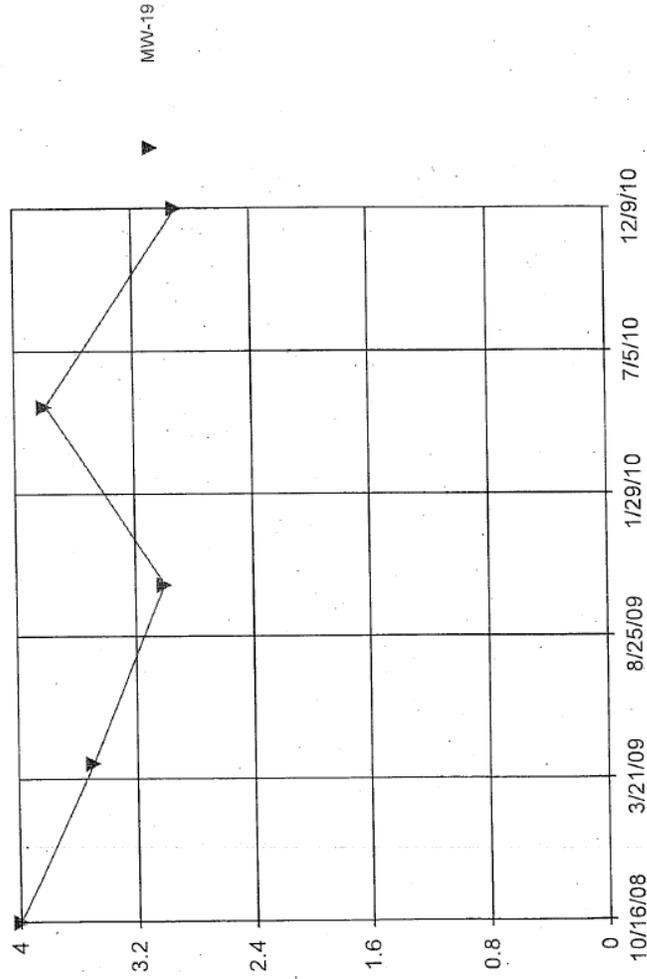
MW-15

Constituent: Trichloroethylene Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast



v9.1.21 n/a. UG

Time Series

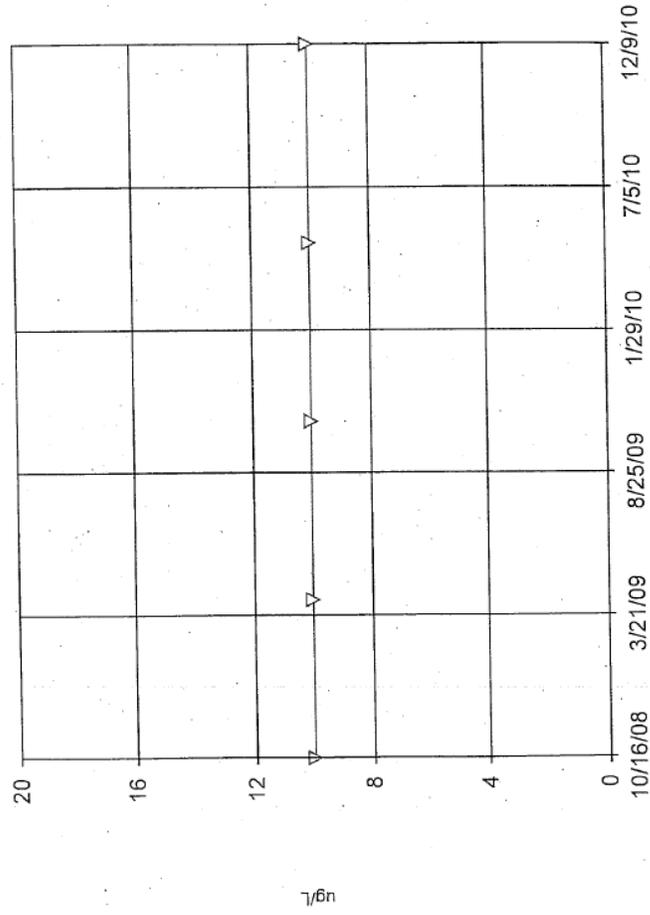


MW-19

Constituent: 11-Dichloroethane Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 na. UG  
Hollow symbols indicate non-detect values.

### Time Series

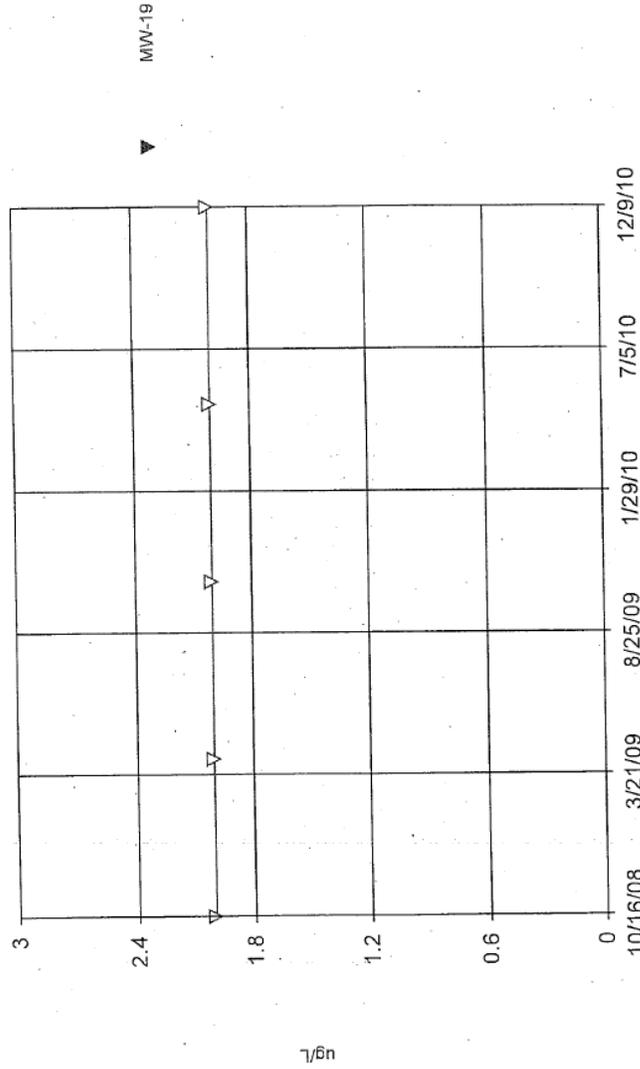


MW-19

Constituent: 14-Dichlorobenzene Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.121 n/a.UG  
Hollow symbols indicate non-detect values.

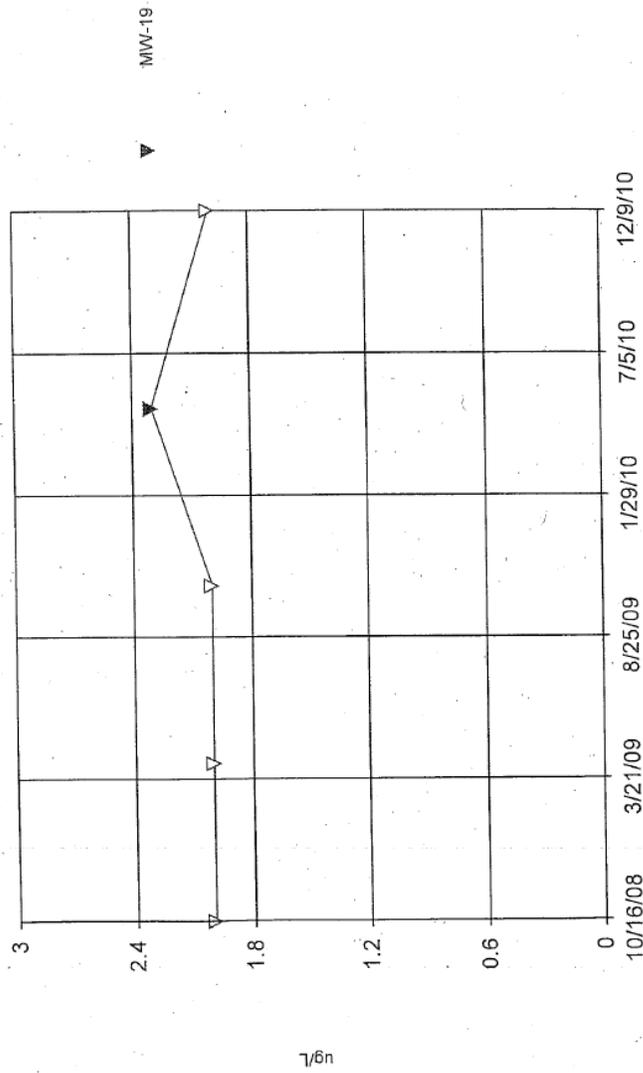
### Time Series



Constituent: Benzene Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.g. 1.21 mg, UG  
Hollow symbols indicate non-detect values.

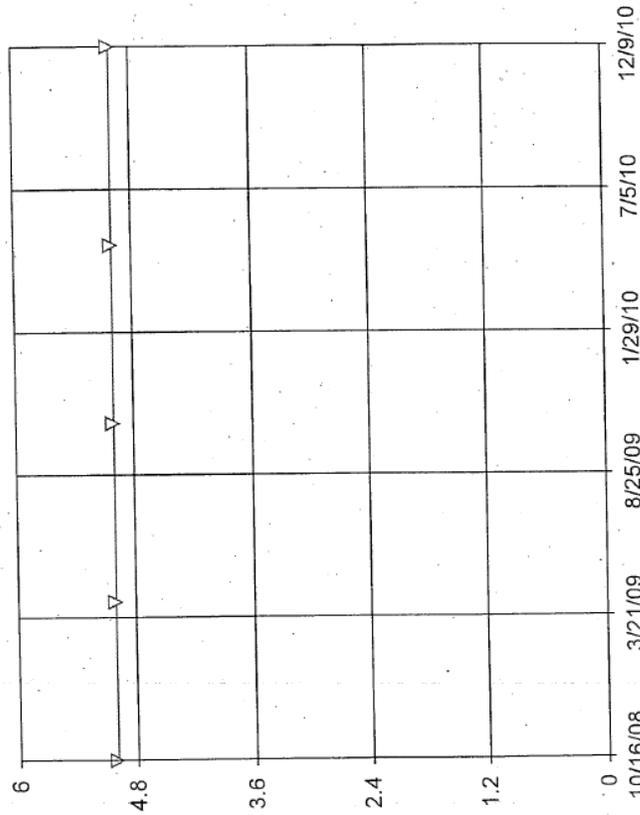
Time Series



Constituent: cis-12-Dichloroethylene Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.121 n/a. UG  
Hollow symbols indicate non-detect values.

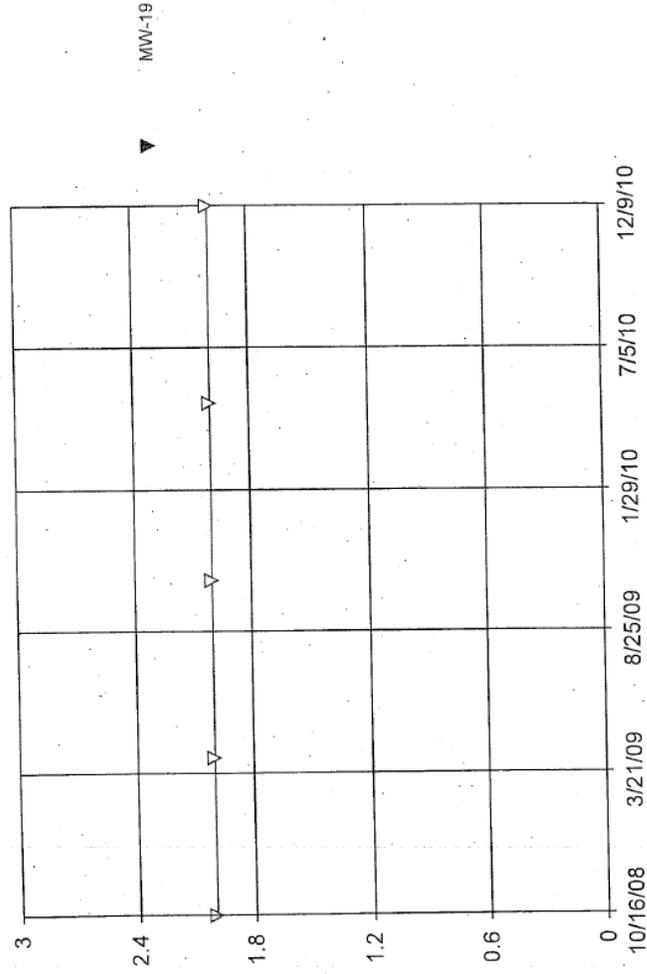
### Time Series



Constituent: Methylene chloride Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

### Time Series

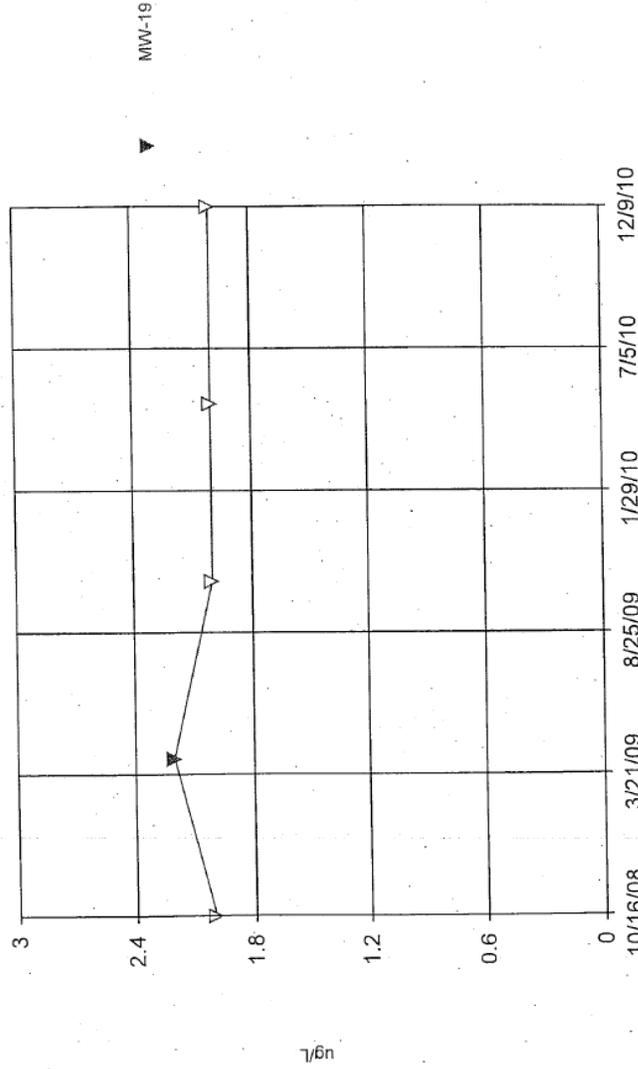


7/6n

Constituent: Tetrachloroethylene Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

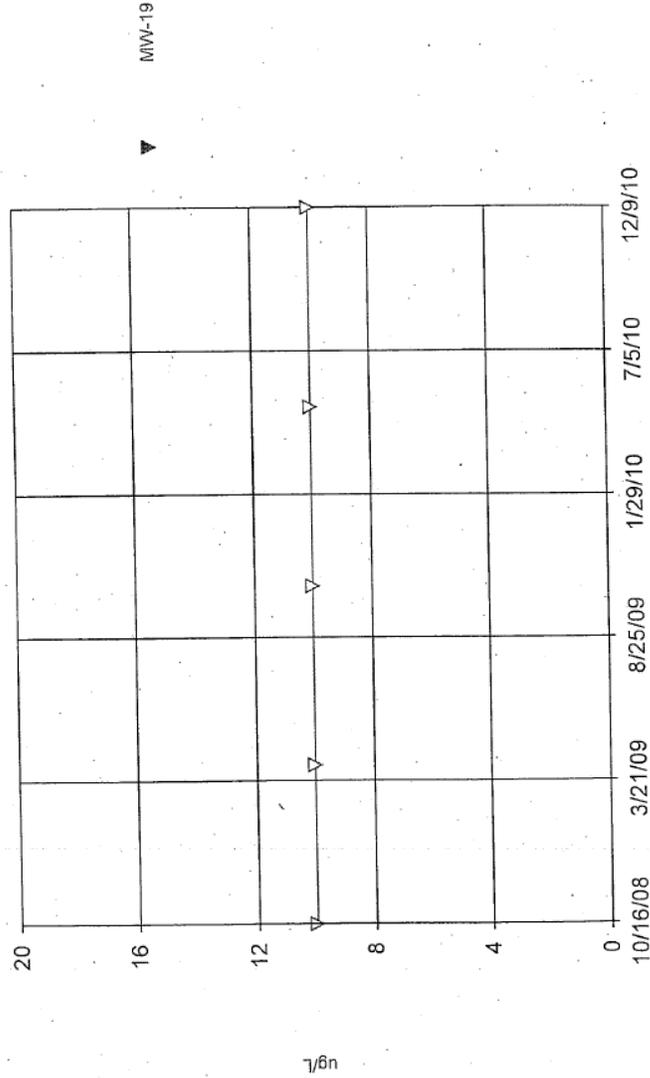
### Time Series



Constituent: Trichloroethylene Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 n/a, UG  
Hollow symbols indicate non-detect values.

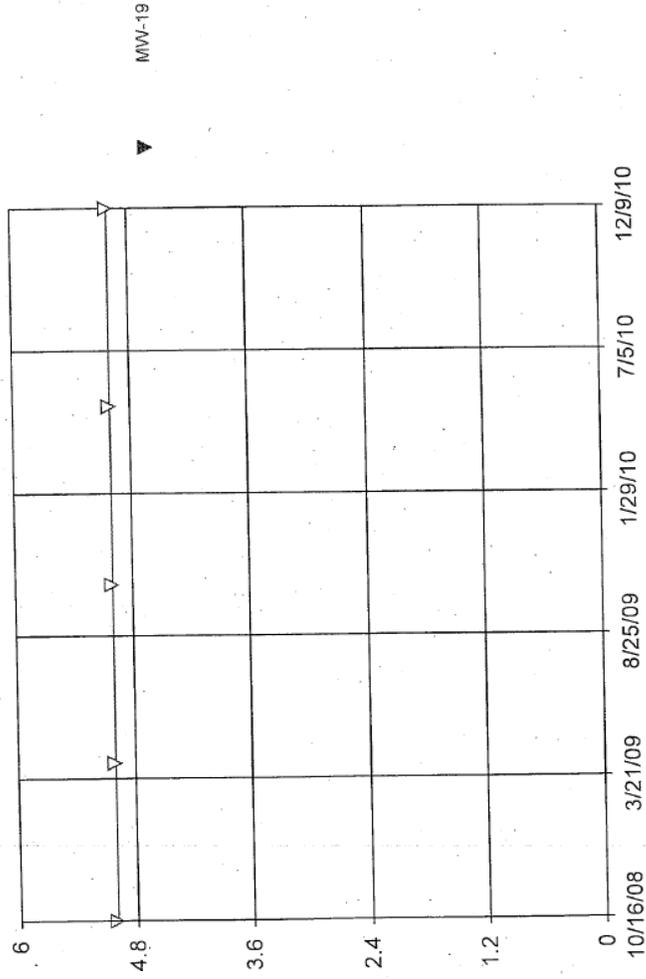
### Time Series



Constituent: Trichlorofluoromethane Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

### Time Series

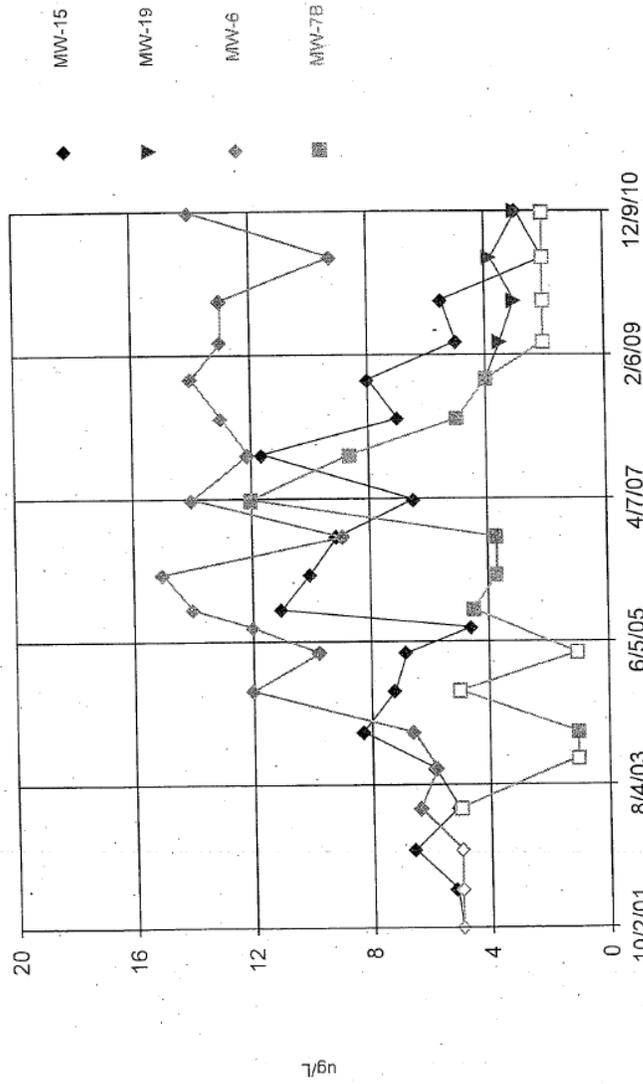


Constituent: Xylenes [Total] Analysis Run: 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

**Individual Constituent and Multiple-Well Plots**

v.9.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

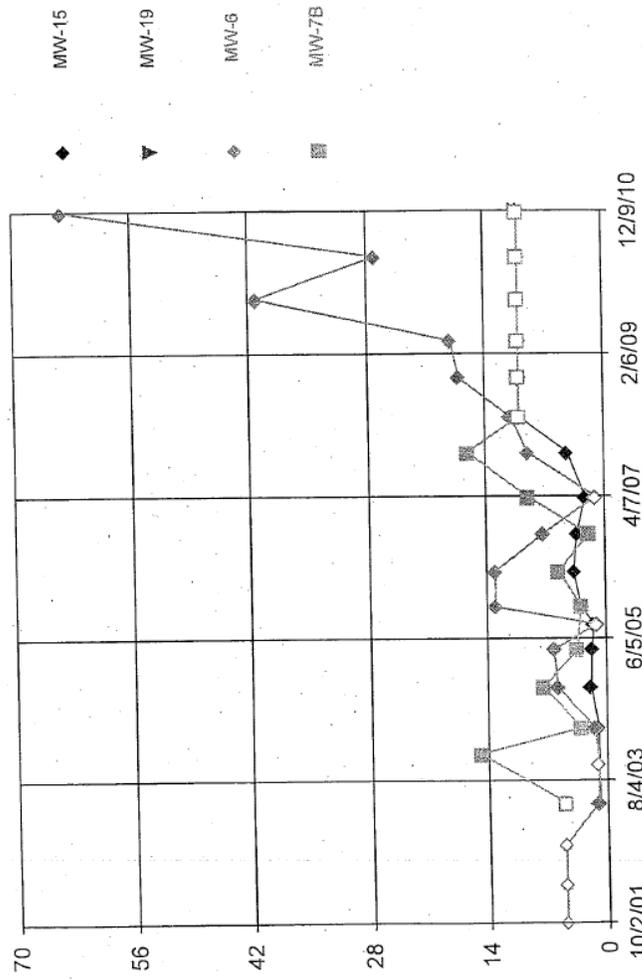
### Time Series



Constituent: 11-Dichloroethane Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 m/a, UG  
Hollow symbols indicate non-detect values.

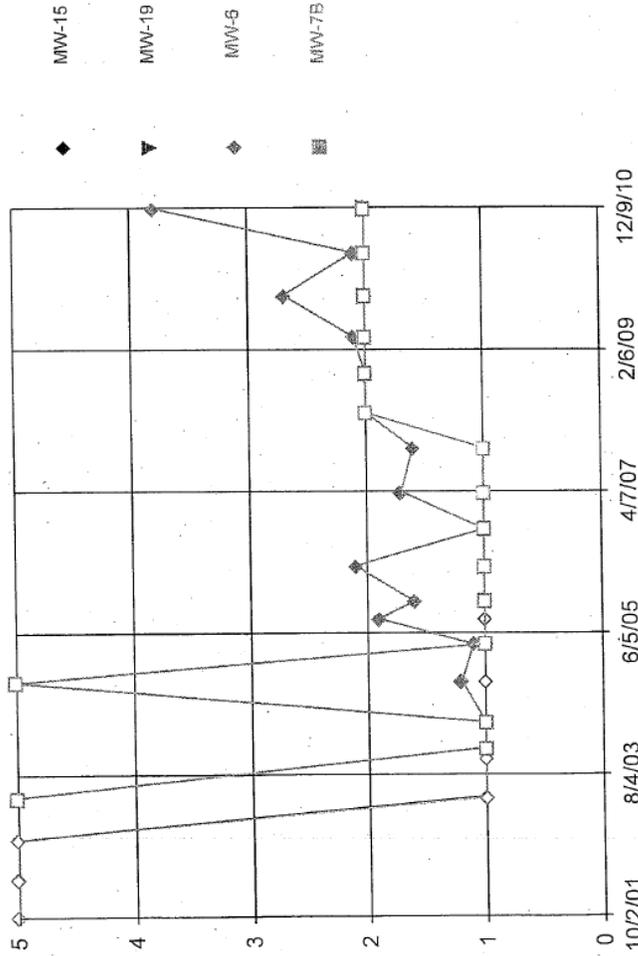
### Time Series



Constituent: 14-Dichlorobenzene Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

### Time Series



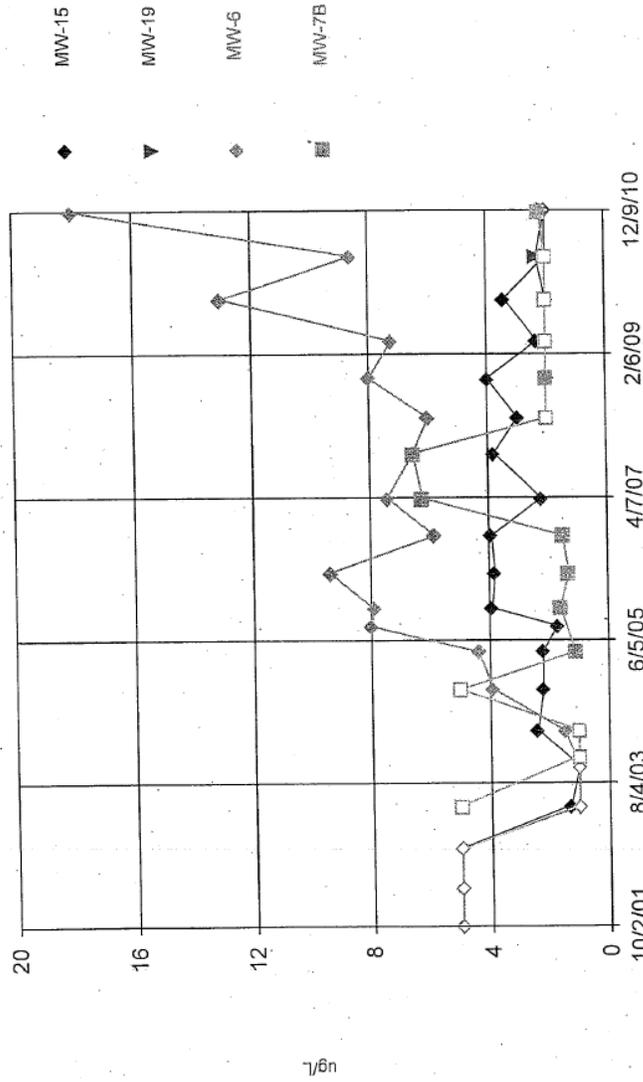
ug

Constituent: Benzene Analysis Run 3/8/2011 9:59 AM

Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 n/a, UG  
Hollow symbols indicate non-detect values.

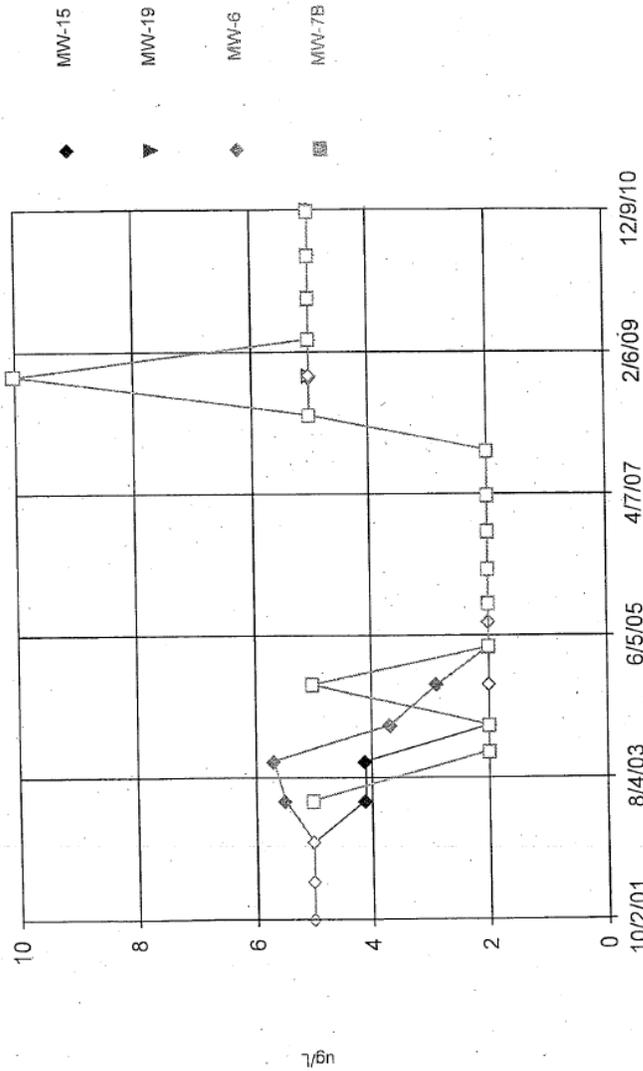
### Time Series



Constituent: cis-12-Dichloroethylene Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.6.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

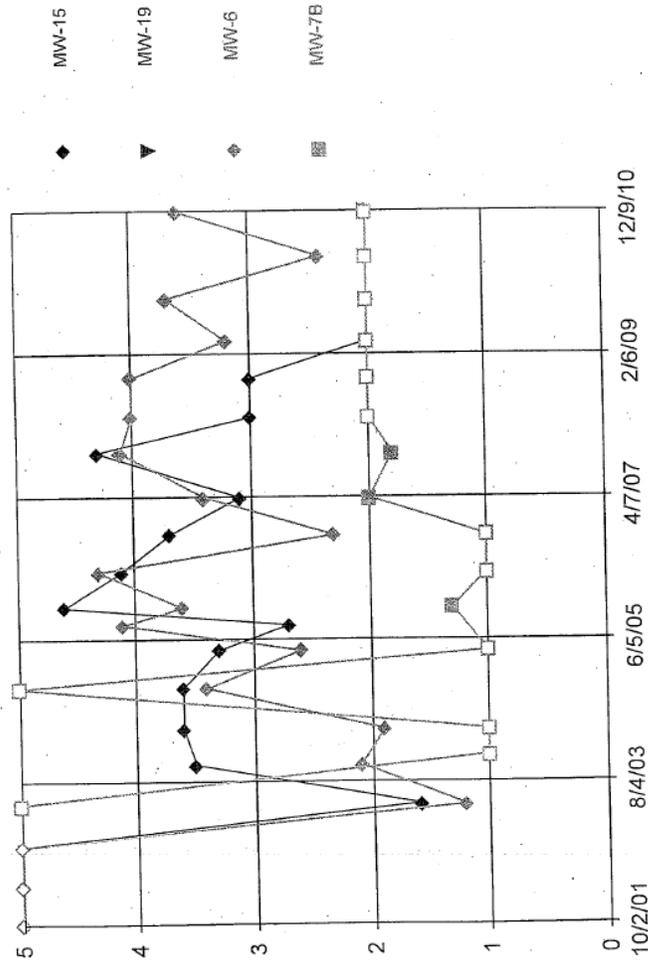
### Time Series



Constituent: Methylene chloride Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.3.1.21 n/a. UG  
 Hollow symbols indicate non-detect values.

Time Series

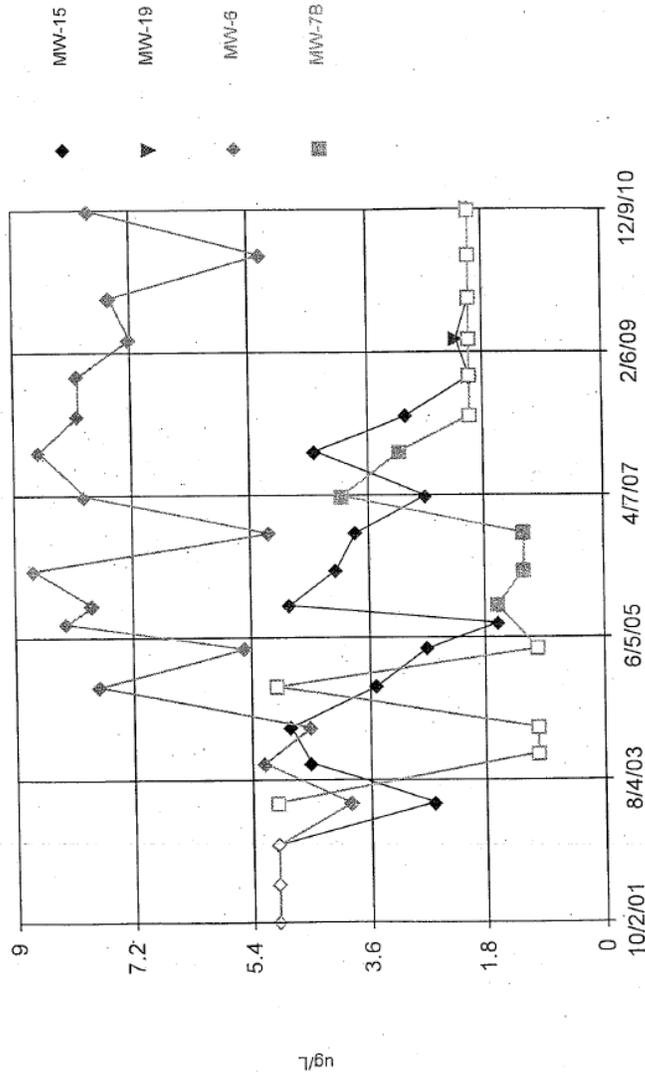


ug

Constituent: Tetrachloroethylene Analysis Run 3/8/2011 9:59 AM  
 Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

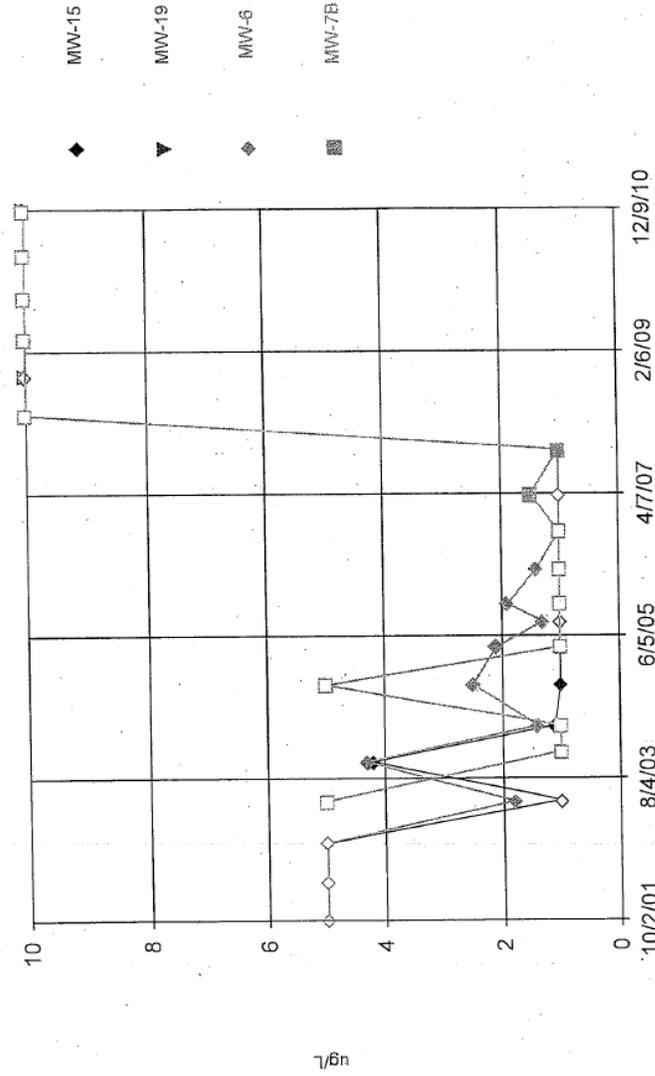
### Time Series



Constituent: Trichloroethylene Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.9.121 nra. UG  
Hollow symbols indicate non-detect values.

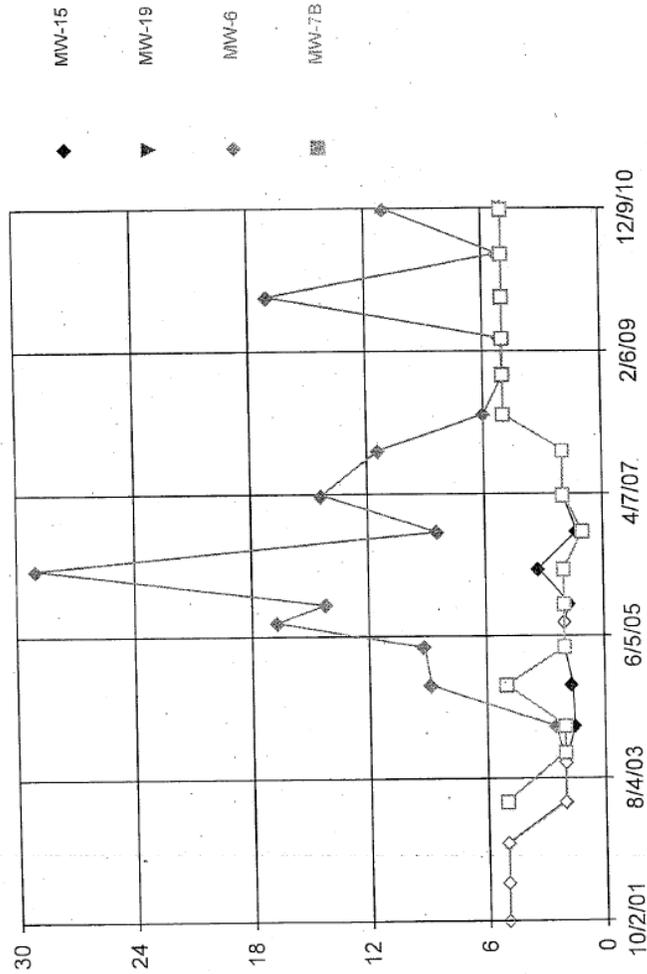
### Time Series



Constituent: Trichlorofluoromethane Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

v.8.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

### Time Series



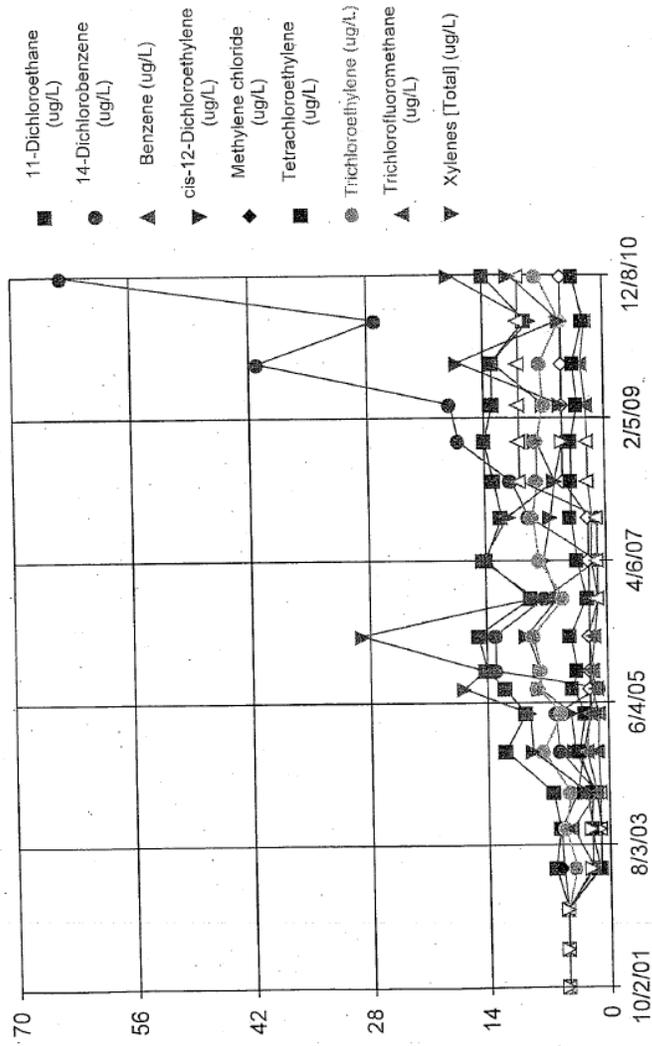
Constituent: Xylenes [Total] Analysis Run 3/8/2011 9:59 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

**Well and Multiple-Constituent Plots**

v.9.1.21 n/a. JG  
Hollow symbols indicate non-detect values.

### Time Series

MW-6



Analysis Run 3/8/2011 9:56 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

### Multiple-Constituent Time Series

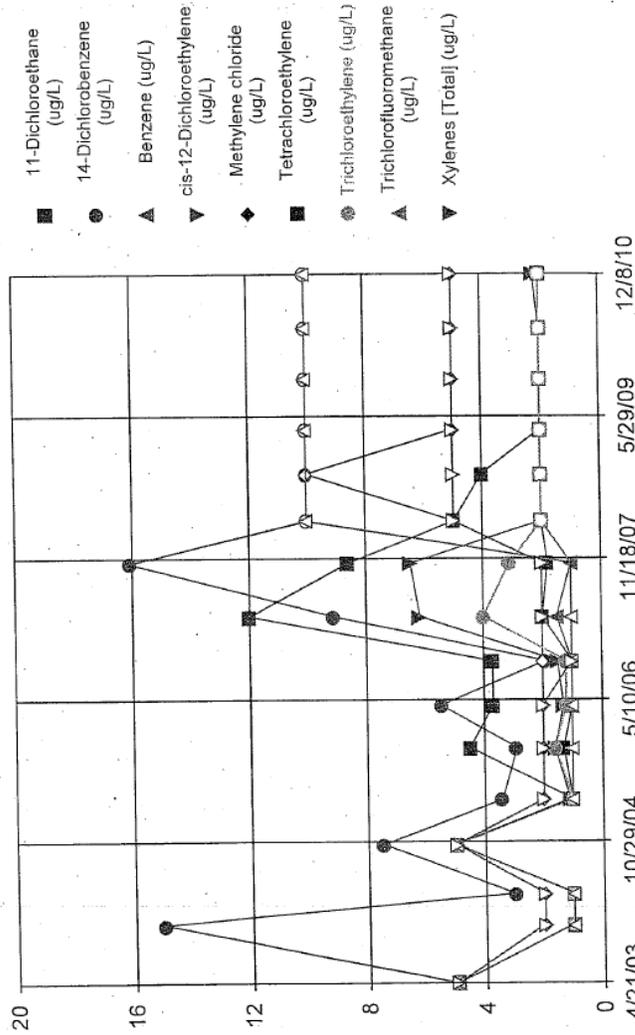
Constituent: Xylenes [Total] (ug/L)    Analysis Run 3/8/2011 9:56 AM  
 Facility: Northeast LF    Client: Northeast LF    Data File: Northeast

	11-Dichloro...	14-Dichloro...	Benzene (ug/L)	cis-12-Dichlo...	Methylene chl...	Tetrachloroel...	Trichloroethy...	Trichlorofluo...	Xylenes (Tota...
10/2/2001	<5	<5	<5	<5	<5	<5	<5	<5	<5
4/2/2002	<5	<5	<5	<5	<5	<5	<5	<5	<5
10/4/2002	<5	<5	<5	<5	<5	<5	<5	<5	<5
4/17/2003	6.4	1.1	<1	<1	5.5	1.2	3.9	1.8	<2
10/22/2003	5.8	<1	<1	<1	5.7	2.1	5.2	4.3	<2
4/7/2004	6.6	1.4	<1	1.5	3.7	1.9	4.5	1.4	2.5
10/19/2004	12	5.8	1.2	3.9	2.9	3.4	7.7	2.5	8.9
4/14/2005	9.7	6.2	1.1	4.4	<2	2.6	5.5	2.1	9.2
8/11/2005	12	<1	1.9	8	<2	4.1	8.2	1.3	16.7
11/2/2005	14	13	1.6	7.9	<2	3.6	7.8	1.9	14.2
4/19/2006	15	13	2.1	9.4	<2	4.3	8.7	1.4	29
10/9/2006	8.9	7.4	<1	5.8	<2	2.3	5.1	<1	8.5
4/5/2007	14	<1	1.7	7.4	<2	3.4	7.9	<1	14.3
10/31/2007	12.1	9.1	1.6	8.5	<2	4.1	8.8	<1	11.4
4/15/2008	13	11	<2	6	<5	4	8	<10	6
10/15/2008	14	17	<2	8	<5	4	8	<10	<5
4/8/2009	13	16	2.1	7.2	<5	3.2	7.2	<10	5.1
10/22/2009	13	41	2.7	13	<5	3.7	7.5	<10	17
5/10/2010	9.2	27	2.1	8.6	<5	2.4	5.2	<10	5.2
12/8/2010	14	64	3.8	16	<5	3.6	7.8	<10	11

v.9.1.21 n/a. UG  
Hollow symbols indicate non-detect values.

### Time Series

MW-7B



Analysis Run 3/8/2011 9:56 AM

Facility: Northeast LF Client: Northeast LF Data File: Northeast

### Multiple-Constituent Time Series

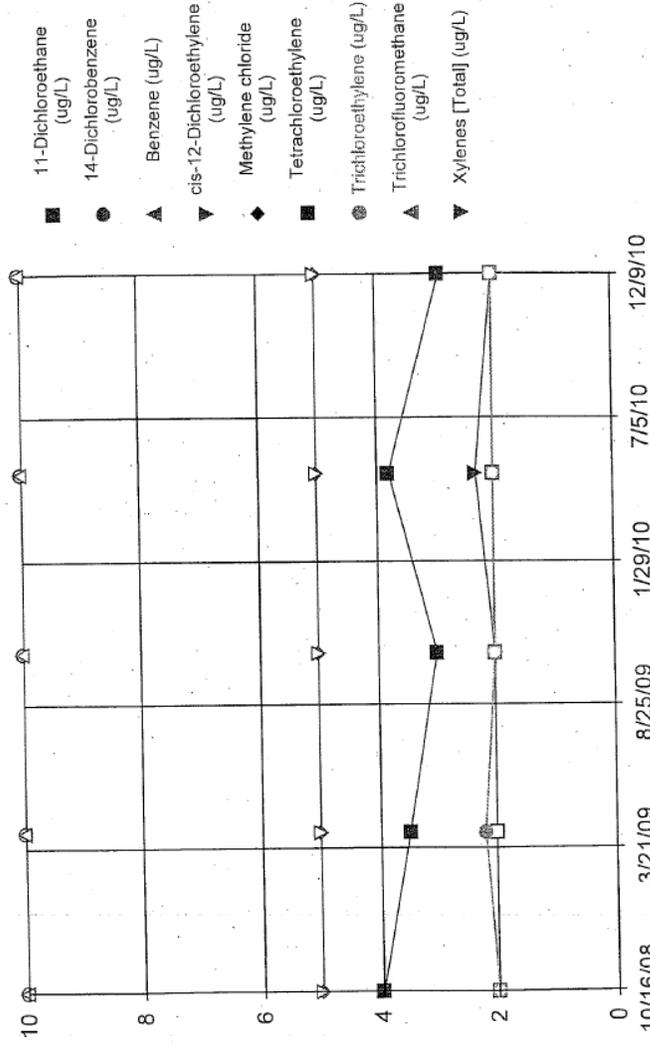
Constituent: Xylenes [Total] (ug/L)    Analysis Run 3/8/2011 9:56 AM  
 Facility: Northeast LF    Client: Northeast LF    Data File: Northeast

	11-DichloroeL...	14-Dichlorobe...	Benzene (ug/L)	cis-12-Dichlo...	Methylene chl...	TetrachloroeL...	Trichloroethy...	Trichlorofluo...	Xylenes [Tota...
4/21/2003	<5	<5	<5	<5	<5	<5	<5	<5	<5
12/9/2003	<1	15	<1	<1	<2	<1	<1	<1	<2
4/8/2004	1	3	<1	<1	<2	<1	<1	<1	<2
10/19/2004	<5	7.5	<5	<5	<5	<5	<5	<5	<5
4/14/2005	<1	3.4	<1	1.1	<2	<1	<1	<1	<2
11/4/2005	4.5	2.9	<1	1.6	<2	1.3	1.6	<1	<2
4/19/2006	3.7	5.5	<1	1.3	<2	<1	1.2	<1	<2
10/10/2006	3.7	1.9	<1	1.5	<2	<1	1.2	<1	<1
4/4/2007	12	9.1	<1	6.2	<2	2	4	1.5	<2
10/31/2007	8.6	16.1	<1	6.5	<2	1.8	3.1	1	<2
4/14/2008	5	<10	<2	<2	<5	<2	<2	<10	<5
10/16/2008	4	<10	<2	2	<10	<2	<2		<5
4/8/2009	<2	<10	<2	<2	<5	<2	<2	<10	<5
10/22/2009	<2	<10 (D)	<2	<2	<5	<2	<2	<10	<5
5/10/2010	<2	<10	<2	<2	<5	<2	<2	<10	<5
12/8/2010	<2	<10	<2	2.2	<5	<2	<2	<10	<5

v.9.1.21 n/a, UG  
Hollow symbols indicate non-detect values.

### Time Series

MW-19



Analysis Run 3/8/2011 9:57 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

### Multiple-Constituent Time Series

Constituent: Xylenes [Total] (ug/L) Analysis Run 3/8/2011 9:57 AM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

	11-Dichloroet...	14-Dichloroba...	Benzene (ug/L)	ds-12-Dichlo...	Methylene chl...	Tetrachloroet...	Trichloroethy...	Trichlorofluo...	Xylenes [Tota...
10/16/2008	4	<10	<2	<2	<5	<2	<2	<10	<5
4/9/2009	3.5	<10	<2	<2	<5	<2	2.2	<10	<5
10/22/2009	3	<10	<2	<2	<5	<2	<2	<10	<5
5/6/2010	3.8	<10	<2	2.3	<5	<2	<2	<10	<5
12/9/2010	2.9	<10	<2	<2	<5	<2	<2	<10	<5



## Time Series

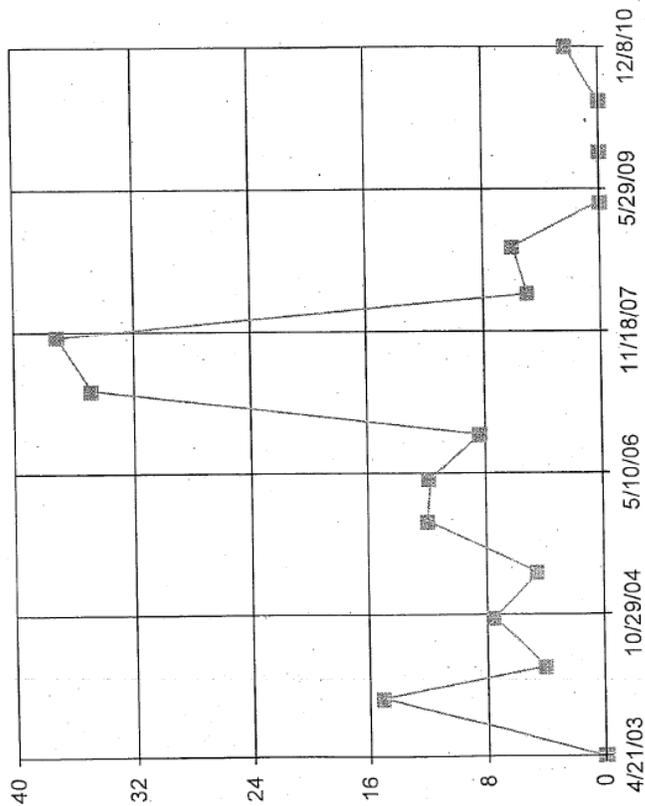
Constituent: TVOC (ug/L) Analysis Run: 3/8/2011 1:09 PM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

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	MW-6
10/2/2001	0
4/2/2002	0
10/4/2002	0
4/17/2003	19.9
10/22/2003	23.1
4/7/2004	23.5
10/19/2004	48.3
4/14/2005	40.8
8/11/2005	52.2
11/2/2005	64
4/19/2006	82.9
10/9/2006	38
4/5/2007	48.7
10/31/2007	53.4
4/15/2008	48
10/16/2008	51
4/8/2009	55.8
10/22/2009	97.9
5/10/2010	122.2
12/8/2010	181

v.8.1.21 n/a..UG

### Time Series



MW-7B

ug/l

Constituent: TVOC Analysis Run 3/8/2011 1:11 PM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

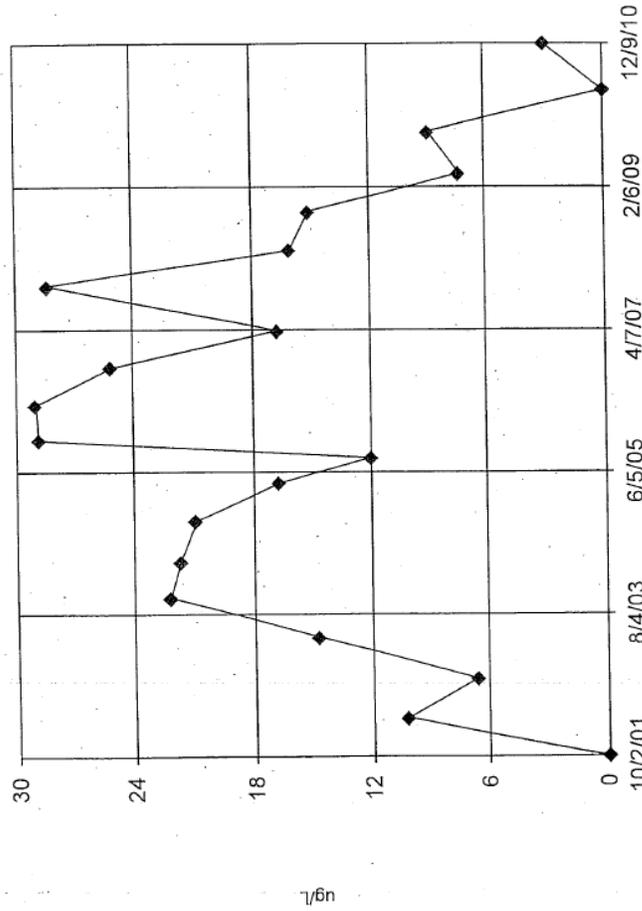
# Time Series

Constituent: TVOC (ug/L) Analysis Run 3/8/2011 1:11 PM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

	MW-7B
4/21/2003	0
12/9/2003	15
4/8/2004	4
10/19/2004	7.5
4/14/2005	4.5
11/4/2005	11.9
4/19/2006	11.7
10/10/2006	8.3
4/4/2007	34.8
10/31/2007	37.1
4/14/2008	5
10/16/2008	6
4/8/2009	0
10/22/2009	0 (D)
5/10/2010	0
12/8/2010	2.2

v.9.1.21 n/a. UG

Time Series



MW-15

Constituent: TVOC Analysis Run 3/8/2011 1:22 PM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

### Time Series

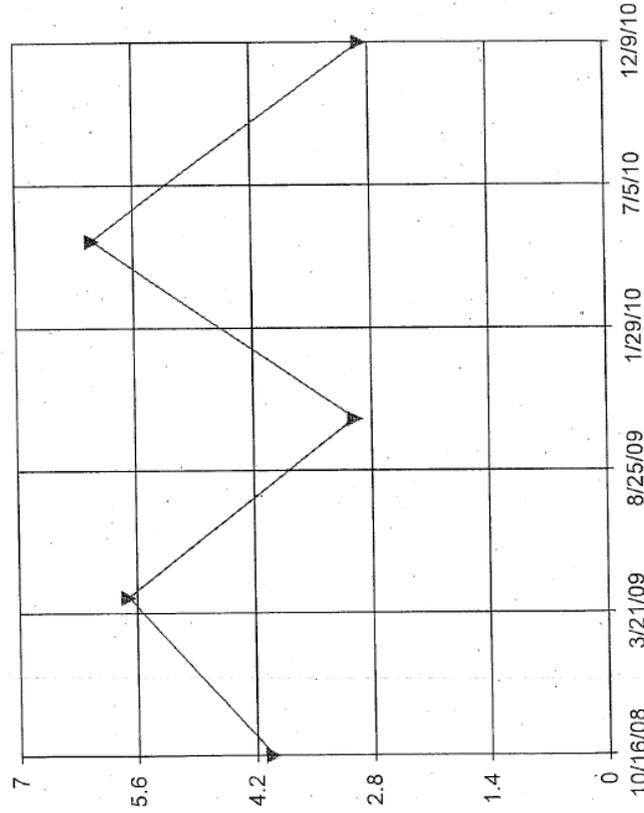
Constituent: TVOC (ug/L) Analysis Run 3/8/2011 1:22 PM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

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	MW-15
10/2/2001	0
4/3/2002	10.2
10/4/2002	6.6
4/21/2003	14.7
10/23/2003	22.2
4/8/2004	21.7
10/19/2004	20.9
4/14/2005	16.7
8/11/2005	12
11/3/2005	28.9
4/19/2006	29
10/10/2006	25.1
4/4/2007	18.7
10/31/2007	28.4
4/14/2008	16
10/15/2008	15
4/9/2009	7.3
10/22/2009	8.9
5/6/2010	0
12/9/2010	2.9

v.9.1.21 n/a. UG

### Time Series



MW-19

Constituent: TVOC Analysis Run 3/8/2011 1:26 PM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

### Time Series

Constituent: TVOC (ug/L) Analysis Run: 3/8/2011 1:26 PM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

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	MW-19
10/16/2008	4
4/8/2009	5.7
10/22/2009	3
5/8/2010	6.1
12/8/2010	2.9

1. ANALYTICAL DATA SHEET - ANALYSIS OF SAMPLES FOR TVOC

2. ANALYTICAL DATA SHEET - ANALYSIS OF SAMPLES FOR TVOC

**TVOC Plots**

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### Time Series

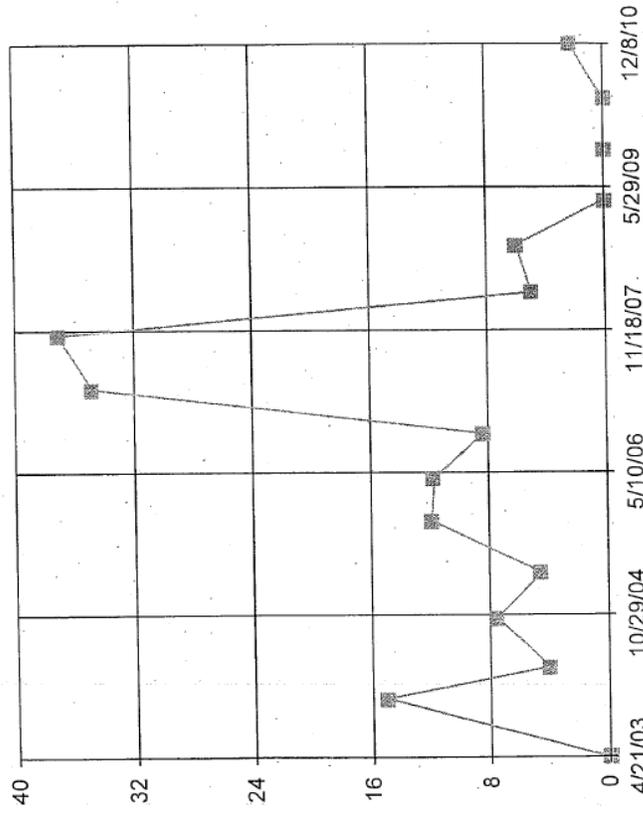
Constituent: TVOC (ug/L) Analysis Run 3/8/2011 1:09 PM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

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	MW-6
10/2/2001	0
4/2/2002	0
10/4/2002	0
4/17/2003	19.9
10/22/2003	23.1
4/7/2004	23.5
10/19/2004	48.3
4/14/2005	40.6
8/11/2005	52.2
11/2/2005	64
4/19/2006	82.9
10/9/2006	38
4/5/2007	48.7
10/31/2007	53.4
4/15/2008	48
10/16/2008	51
4/8/2009	55.8
10/22/2009	97.9
5/10/2010	122.2
12/8/2010	181

v.5.1.21 n/a. UG

### Time Series



Constituent: TVOC Analysis Run 3/8/2011 1:11 PM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

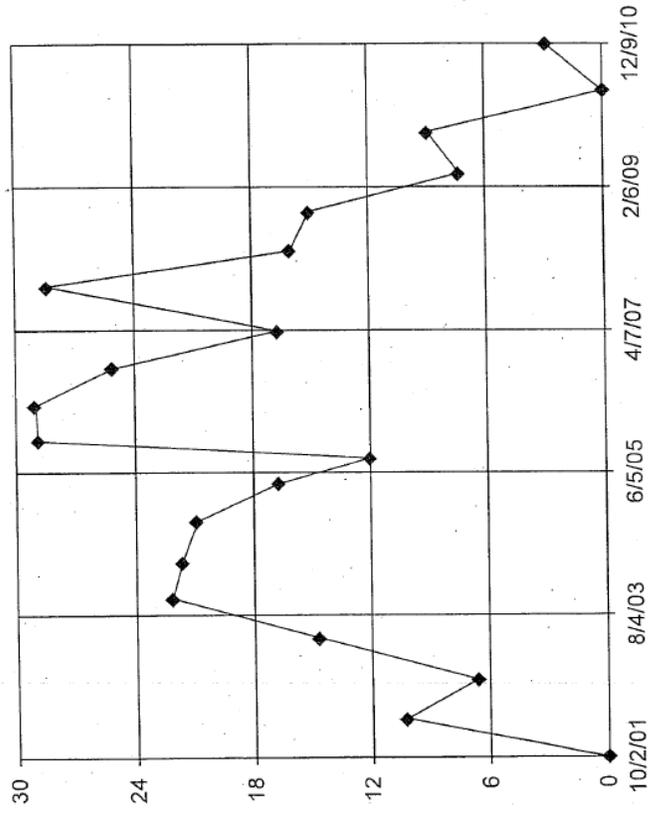
# Time Series

Constituent: TVOC (ug/L) Analysis Run 3/8/2011 1:11 PM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

	MVI-7B
4/21/2003	0
12/9/2003	15
4/8/2004	4
10/19/2004	7.5
4/14/2005	4.5
11/4/2005	11.9
4/19/2006	11.7
10/10/2006	8.3
4/4/2007	34.8
10/31/2007	37.1
4/14/2008	5
10/16/2008	6
4/8/2009	0
10/22/2009	0 (D)
5/10/2010	0
12/9/2010	2.2

v.9.1.21 n/a. UG

Time Series



Constituent: TVOC Analysis Run 3/8/2011 1:22 PM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

### Time Series

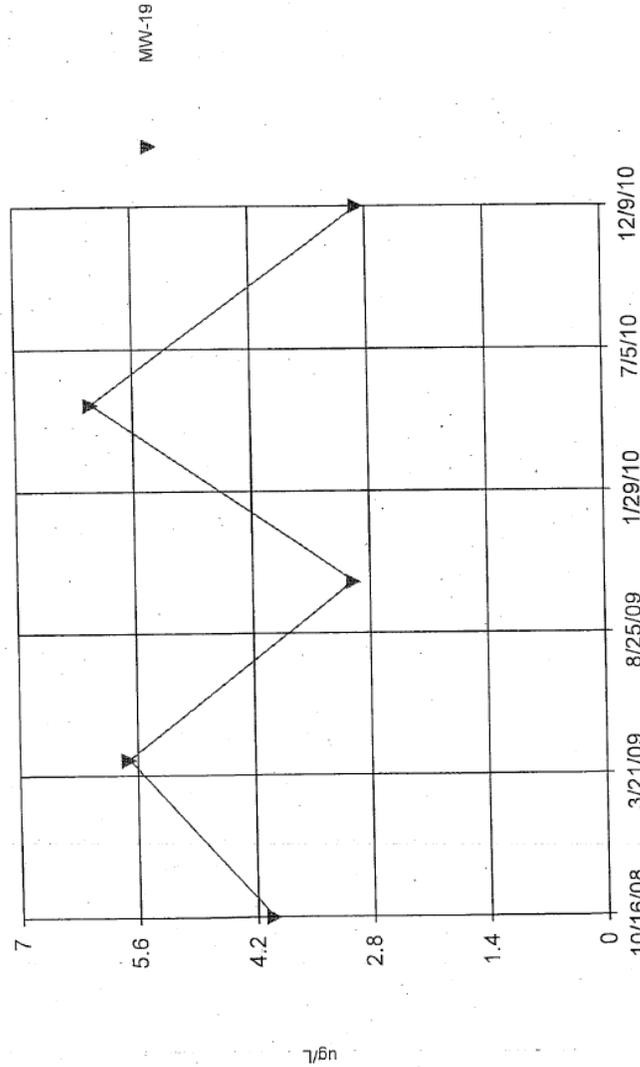
Constituent: TVOC (ug/L) - Analysis Run 3/8/2011 1:22 PM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

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	MW-15
10/2/2001	0
4/3/2002	10.2
10/4/2002	6.6
4/21/2003	14.7
10/22/2003	22.2
4/8/2004	21.7
10/19/2004	20.9
4/14/2005	16.7
8/11/2005	12
11/3/2005	28.9
4/19/2006	29
10/10/2006	25.1
4/4/2007	16.7
10/31/2007	28.4
4/14/2008	16
10/15/2008	15
4/9/2009	7.3
10/22/2009	8.9
5/6/2010	0
12/9/2010	2.9

v.9.1.21 n/a.UG

### Time Series



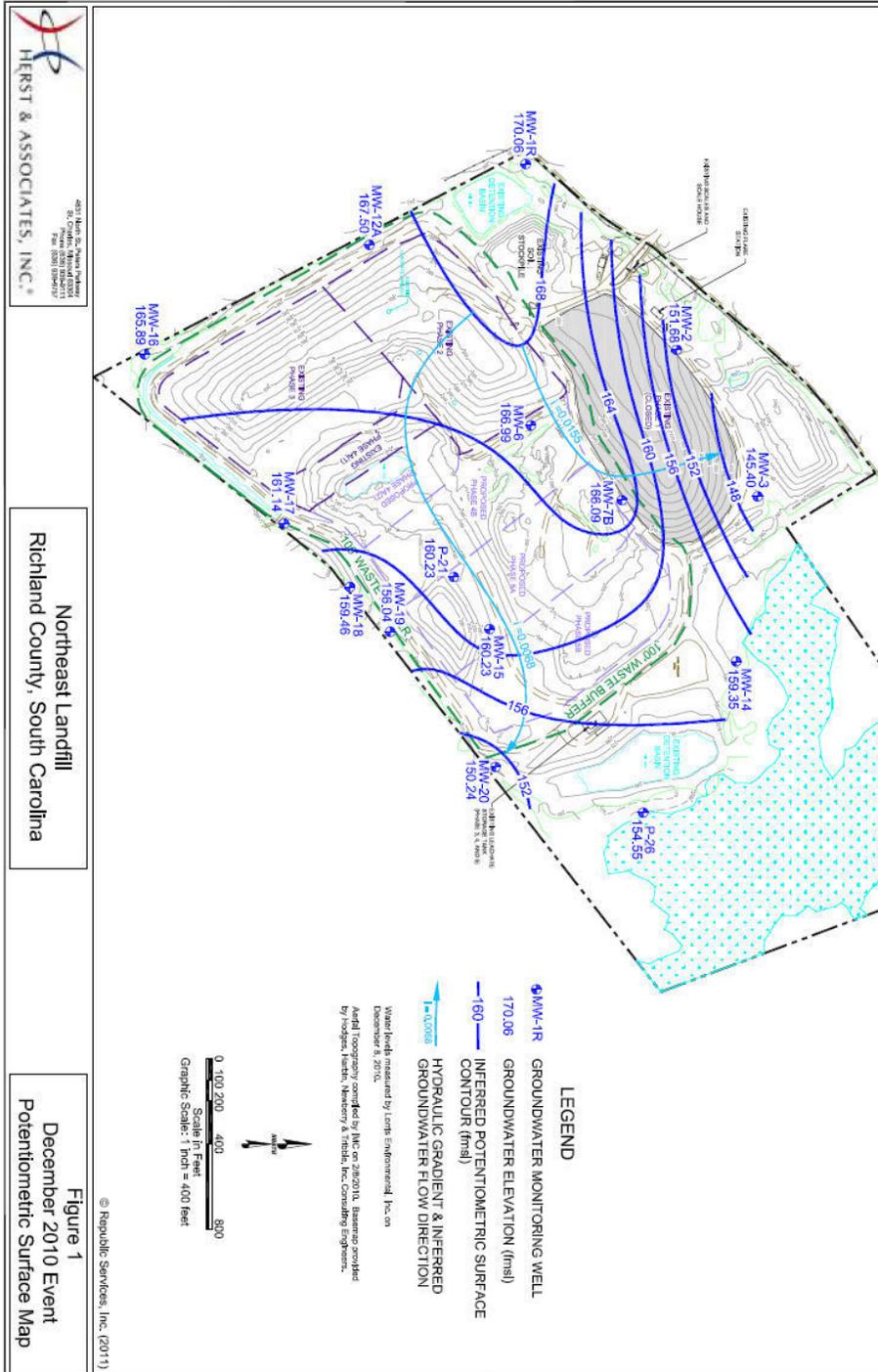
MW-19

Constituent: TVOC Analysis Run 3/8/2011 1:26 PM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

# Time Series

Constituent: TVOC (ug/L) - Analysis Run 3/6/2011 1:26 PM  
Facility: Northeast LF Client: Northeast LF Data File: Northeast

	MW-19
10/16/2008	4
4/8/2009	5.7
10/22/2009	3
5/6/2010	6.1
12/9/2010	2.9



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Northest Landfill  
 Richland County, South Carolina

Figure 1  
 December 2010 Event  
 Potentiometric Surface Map

# Items Pending Analysis

## **Subject**

- a. Curfew for Community Safety (Manning-February 2010)
- b. Farmers Market Update (Council-May 2010)
- c. Review all Engineering and Architectural Drawing requirements to make sure there is no unnecessary charge or expense to citizens (Jackson-January 2010)
- d. Review Homeowner Association covenants by developers and the time frame for transfer and the strength of the contracts (Jackson-September 2010)
- e. To direct Public Works to review county ordinances and propose amendments that would allow the recovery cost to repair damage done to county public roads. The intent of this motion is to hold those responsible who damage the roadways due to the use of heavy vehicles, improperly parked property or other uses for which the type of roadway was not intended (Malinowski-July 2010)
- f. That Richland County enact a Tree Canopy ordinance and inventory to preserve and enhance the number of trees in Richland County (Malinowski-July 2010)
- g. Off-ramp Lighting (Rose-February 2011)
- h. In the interest of regional consistency and public safety, I move that Richland County Council adopt an ordinance (consistent with the City of Columbia) banning texting while operating a motor vehicle (Rose-April 2011)
- i. Direct staff to coordinate with SCDHEC and SCDOT a review of traffic light signal timing improvements in unincorporated Richland County and request a system of red/yellow flashing traffic signals be initiated to help reduce emissions. Unincorporated Richland County will also mandate ingress and egress turn lanes for all businesses and residential construction that would cause a slowdown of traffic on the road servicing that facility (Malinowski-September 2011)
- j. To have staff determine the legalities of an ordinance change that would allow for public/private business partnerships to be operated on school property, specifically in the sports medicine field, and create the necessary wording (Malinowski-September 2011)
- k. Staff, in conjunction with the Conservation Commission, will consider an ordinance change to prevent the crossing of any portion of a conservation easement with utilities unless by special exception and with specific requirements in place (Malinowski-September 2011)
- l. Overtime compensation shall not be calculated towards retirement salary (Jackson-September 2011)

## **Reviews**