



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

**NOVEMBER 22, 2011
7:00 PM**

2020 Hampton Street, Columbia, South Carolina

CALL TO ORDER

APPROVAL OF MINUTES

1. Regular Session: October 25, 2011 (pages 5-7)

ADOPTION OF AGENDA

ITEMS FOR ACTION

2. Proposed Amendment to Settlement Agreement with Northeast Landfill (pages 9-106)
3. Achieve SC State Solid Waste Diversion Rate of 35% within five years and develop a long range goal for zero waste (pages 108-110)

4. Calculation of Salary for Retirement Purposes (pages 112-113)
5. Valhalla Micro Surfacing Project (pages 115-116)
6. Old LRADAC Building Environmental Remediation and Demolition Project (pages 118-120)
7. Ordinance to amend Chapter 6, Building and Building Regulations, so as to correct the improper reference to the "Building Code Board of Adjustments" (pages 122-126)
8. Transfer of CMRTA to the City of Columbia (pages 128-132)

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. Review the process of the Development Review Team (Jackson-October 2011)

ADJOURNMENT



Richland County Council Request of Action

Subject

Regular Session: October 25, 2011 (pages 5-7)

Reviews

MINUTES OF



RICHLAND COUNTY COUNCIL DEVELOPMENT AND SERVICES COMMITTEE TUESDAY, OCTOBER 25, 2011 5:00 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: L. Gregory Pearce, Jr., Damon Jeter, Seth Rose, Gwendolyn Davis Kennedy, Jim Manning, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Larry Smith, Dale Welch, Daniel Driggers, John Hixson, Buddy Atkins, Sandra Haynes, Amelia Linder, Brian Cook, Sara Salley, Stephany Snowden, Melinda Edwards, Geo Price, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting started at approximately 5:03 p.m.

APPROVAL OF MINUTES

September 27, 2011 (Regular Session) – Mr. Malinowski stated that the following item: *“Bath Salts Ordinance”* needs to be amended to read – “No Committee member made a motion to add the item to the agenda.”

Ms. Dickerson moved, seconded by Mr. Jackson, to approve the minutes as amended. The vote in favor was unanimous.

ADOPTION OF AGENDA

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

ITEMS FOR ACTION

Ordinance to Prohibit “bath salts” and synthetic marijuana – Mr. Malinowski moved, seconded by Ms. Dickerson, to forward this item to Council with a recommendation to adopt the ordinance and request the County Attorney office to provide a layman’s explanation of the terms contained in the ordinance, as well as provide an explanation of what will happen if a case regarding “bath salts” is not adjudicated. In addition, the Sheriff’s Department is to provide Council with a list of the various ‘street names’ for “bath salts”. A discussion took place.

The vote was in favor.

Achieve SC State Solid Waste Diversion Rate of 35% within five years and develop a long range goal for zero waste – Ms. Dickerson moved, seconded by Mr. Jackson, to defer this item until the November Committee meeting. The vote was in favor.

Expiring Solid Waste curbside collection contracts for areas 2 & 6 – Mr. Washington moved, seconded by Ms. Dickerson, to forward this item to Council without a recommendation. A discussion took place.

Mr. Malinowski made a substitute motion, seconded by Mr. Jackson, to forward this item to Council with a recommendation to approve Alternative #3: “Direct administration to rebid Areas 2 & 6.” The substitute motion failed.

The vote was in favor of the main motion.

Animal Care Ordinance Revisions – Mr. Malinowski moved, seconded by Mr. Jackson, to defer this item until the November Committee meeting. The vote was in favor.

Decker Blvd./Woodfield Park Neighborhood Redevelopment Overlay District and the Corridor Redevelopment Overlay District – Mr. Jackson moved, seconded by Ms. Dickerson, to forward this item to Council with a recommendation to approve Alternative #1: “Approve the ordinance as drafted, and send it to the Planning Commission for their recommendation.” The vote in favor was unanimous.

Review the process of the Development Review Team – Mr. Jackson moved, seconded by Ms. Dickerson, to defer this item. The vote in favor was unanimous.

Proposed Amendment to Settlement agreement with Northeast Landfill – Ms. Dickerson moved, seconded by Mr. Jackson, to forward this item to Council without a recommendation.

Mr. Washington made a substitute motion, seconded by Ms. Hutchinson, to defer this item until the November Committee meeting, schedule a public hearing for the November Committee meeting, and have all stakeholders weigh in by November 10, 2011. The vote was in favor.

ADJOURNMENT

The meeting adjourned at approximately 6:04 p.m.

Submitted by,

Valerie Hutchinson, Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

Proposed Amendment to Settlement Agreement with Northeast Landfill (pages 9-106)

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~~ **the following** 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

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

PROPOSED AMENDMENT - Part 1

	Total Tons	Out-of-County	In-County	Host Fee per Ton for Out-of-County	Host Fee per Ton for In-County	Total Annual Revenue	Total Revenue over Remaining Life of Original Agreement - 7 Years (Thru 2018)
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

PROPOSED AMENDMENT - Part 2

	Total Tons	Out-of-County	In-County	Host Fee per Ton for Out-of-County	Host Fee per Ton for In-County	Total Annual Revenue	Total Revenue over Life of Extended Agreement - 23 Years (2019 thru 2041)
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) \$ 200,000.00

Total County Revenue \$ 250,000.00



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.

COLUMBIA | CHARLESTON | GREENVILLE | CHARLOTTE | RALEIGH | MYRTLE BEACH
1320 MAIN STREET, 10TH FLOOR | POST OFFICE BOX 12519 | COLUMBIA, SC 29211 | 803-779-2300 PHONE | 803-748-0526 FAX
WWW.MGCLAW.COM

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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

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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.

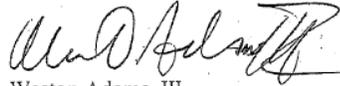
NEL also would like to address a question recently posed concerning whether NEL has any plans to expand its facility on currently-owned property or any other adjacent property. Note that NEL has no current plans to expand its facility, because it recently completed an expansion in 2008. In fact, no further 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
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Best regards,



Weston Adams, III

WA/mar
Enclosure

Item# 2

Attachment number 1
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HERST & ASSOCIATES, INC.®

*Global Presence
Personal Attention*

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

4631 North St. Peters Parkway
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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

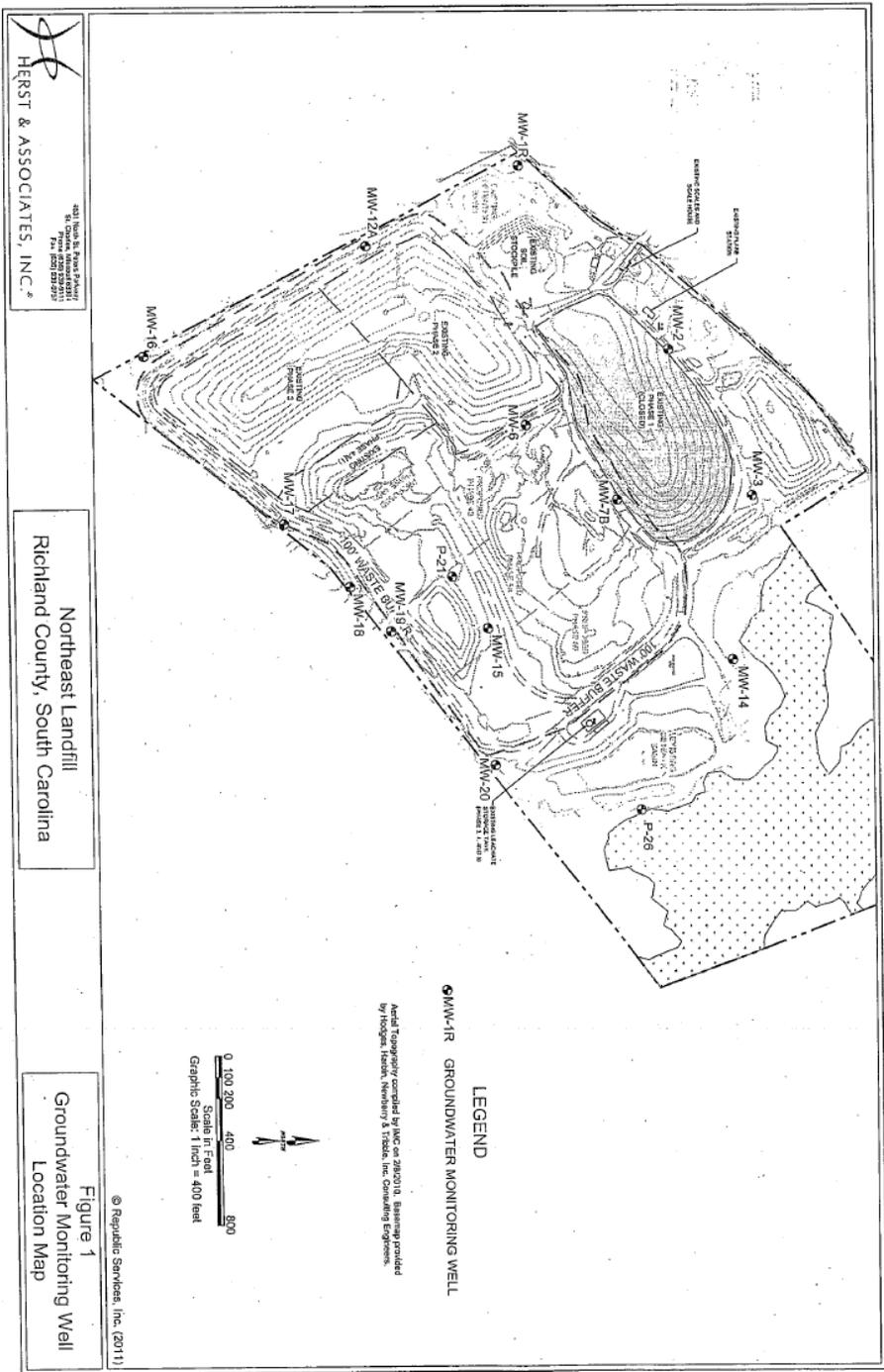


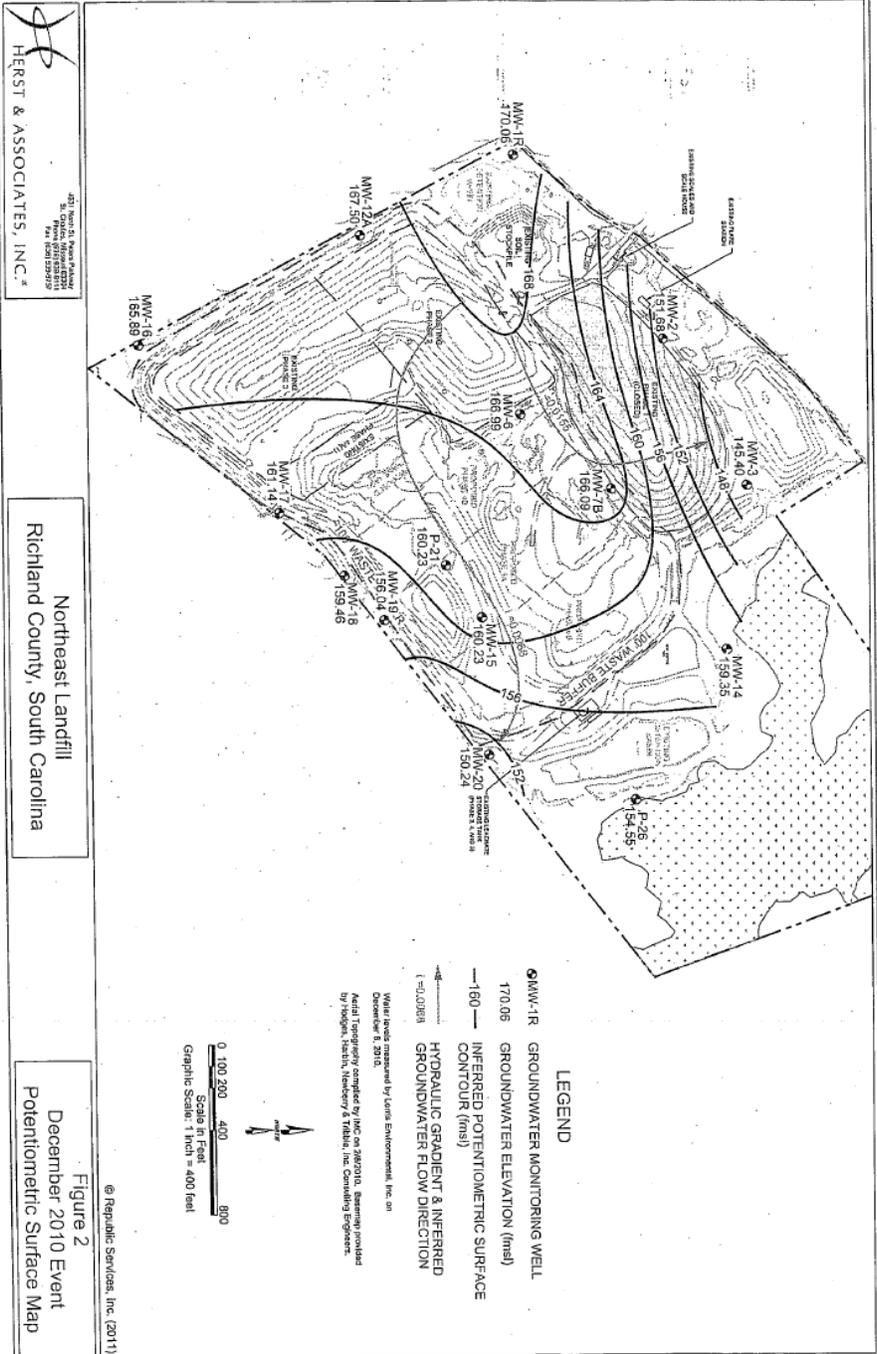
Steve Jett, PG
South Carolina PG No. 2443
Senior Hydrogeologist

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

May 2010 Event		
Well	Parameter	Result (ug/L)
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
December 2010 Event		
Well	Parameter	Result (ug/L)
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)	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	
4/9/2007	14.9	<1	1.7	7.1	<2	3.4	7.9	<1	14.5	48.7	
10/12/2007	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	cis-1,2-Dichloroethylene	Methylene Chloride	Tetrachloroethylene	Trichloroethylene	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

Sampling Date	Volatile Organic Compound Parameters and MCL										Total VOCs
	1,1-Dichloroethane	1,4-Dichlorobenzene	Benzene	cis-1,2-Dichloroethylene	Methylene Chloride	Tetrachloroethylene	Trichloroethylene	Trichlorofluoromethane	Xylenes (Total)	19000	
	NE	76	5	70	5	5	5	NE	15000	NE	
10/2/2001	<5	<5	<5	<5	<5	<5	<5	<5	<5	<5	0
4/9/2002	5.2	<5	<5	<5	5.0	<5	<5	<5	<5	<5	10.2
10/4/2002	6.6	<5	<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	<2	14.7
10/22/2003	9.9	<1	<1	<1	4.1	3.5	4.5	4.2	<2	<2	22.9
4/8/2004	9.3	<1	<1	2.4	<2	3.6	4.8	1.1	1.5	1.5	21.7
10/19/2004	7.2	1.8	<1	2.2	<2	3.6	3.5	1.0	1.6	1.6	20.9
4/14/2005	6.8	1.7	<1	2.2	<2	3.3	2.7	<1	<2	<2	16.7
8/11/2005	4.6	1.4	<1	1.7	<2	2.7	1.6	<1	<2	<2	12.9
11/02/2005	11.0	2.9	<1	3.9	<2	4.6	4.8	<1	1.7	1.7	28.9
4/15/2006	10.0	3.7	<1	3.8	<2	4.1	4.1	<1	3.3	3.3	29.0
10/10/2006	9.1	3.3	<1	3.9	<2	3.7	3.8	<1	1.3	1.3	25.1
4/4/2007	6.5	2.2	<1	2.2	<2	3.1	2.7	<1	<2	<2	16.7
10/01/2007	11.8	4.3	<1	3.8	<2	4.3	4.4	<1	<2	<2	28.4
4/14/2008	7.0	<10	<2	3.0	<5	3.0	3.0	<10	<5	<5	16.0
10/15/2008	6.0	<10	<2	4.0	<5	3.0	<2	<10	<5	<5	15.0
4/09/2009	5.0	<10	<2	2.3	<5	<2	<2	<10	<5	<5	7.3
10/02/2009	5.5	<10	<2	3.4	<5	<2	<2	<10	<5	<5	6.9
5/05/2010	<2	<10	<2	<2	<5	<2	<2	<10	<5	<5	0
12/9/2010	2.9	<10	<2	<2	<5	<2	<2	<10	<5	<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	cis-1,2-	Methylene	Tetrachloro-	Trichloro-	Trichlorofluorom-	Xylenes (Total)	Total VOCs
	Dichloroethane	Dichloroethene		Dichloroethylene	Chloride	ethylene	ethylene	ethane		
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

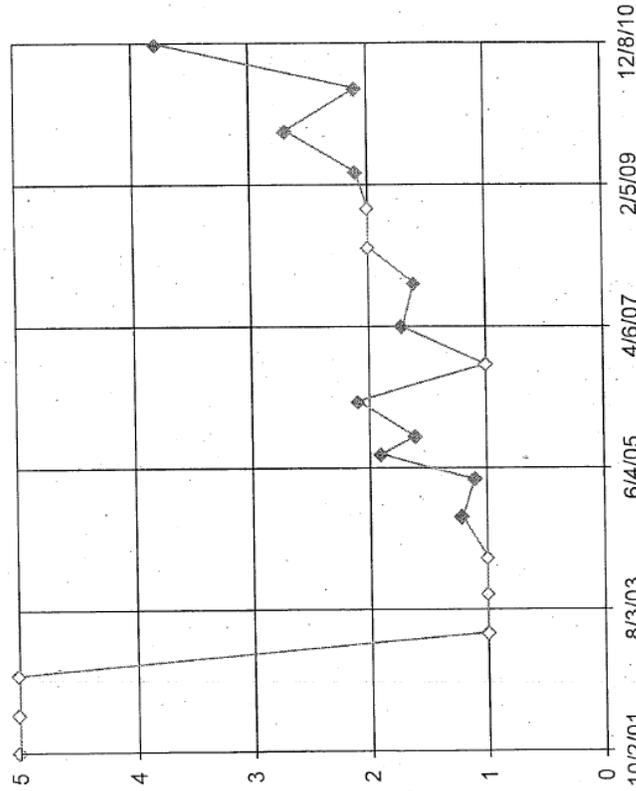
APPENDICES

**APPENDIX A
TIME VS. CONCENTRATION PLOTS**

Individual Well and Constituent Plots

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

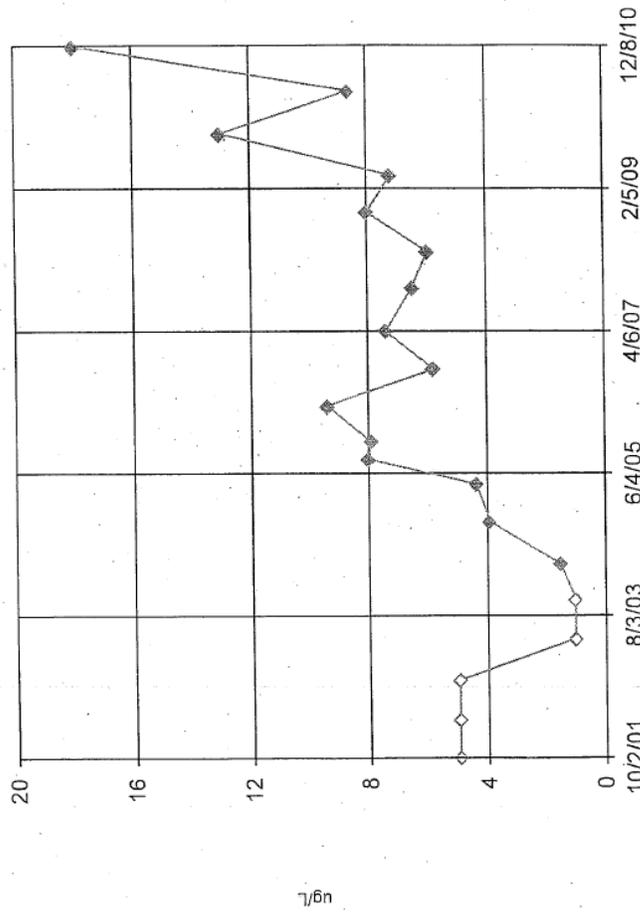
Time Series



Constituent: 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.

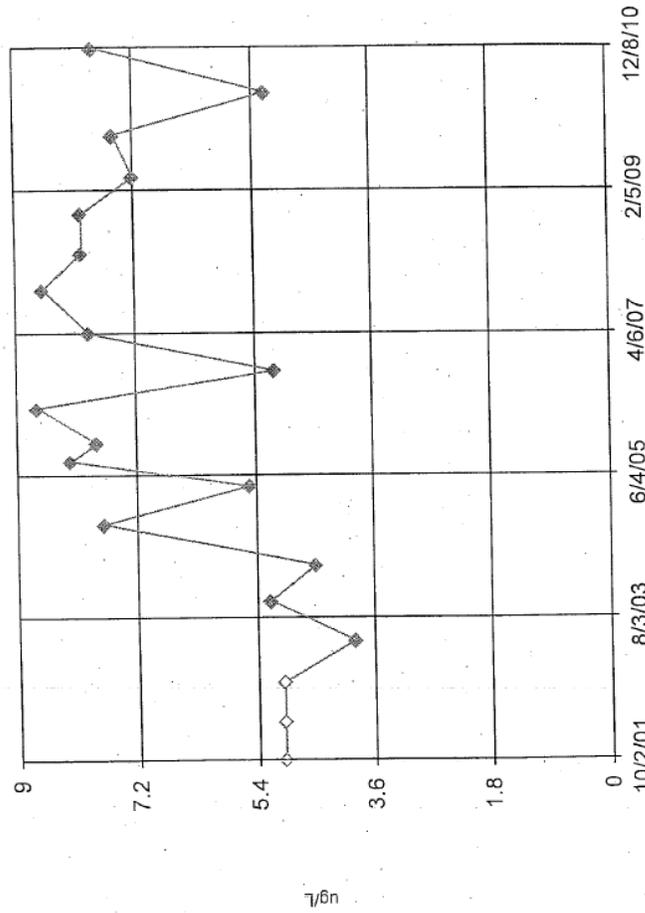
Time Series



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

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

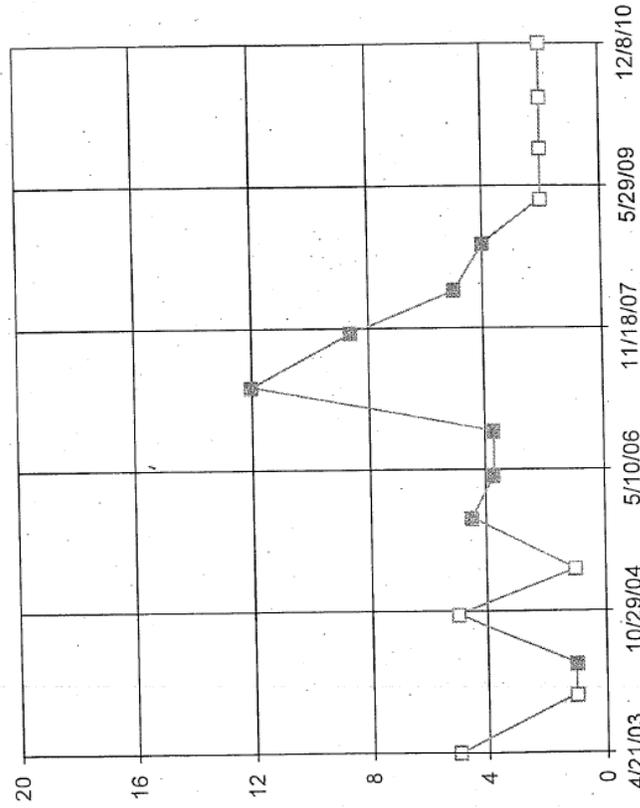
Time Series



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

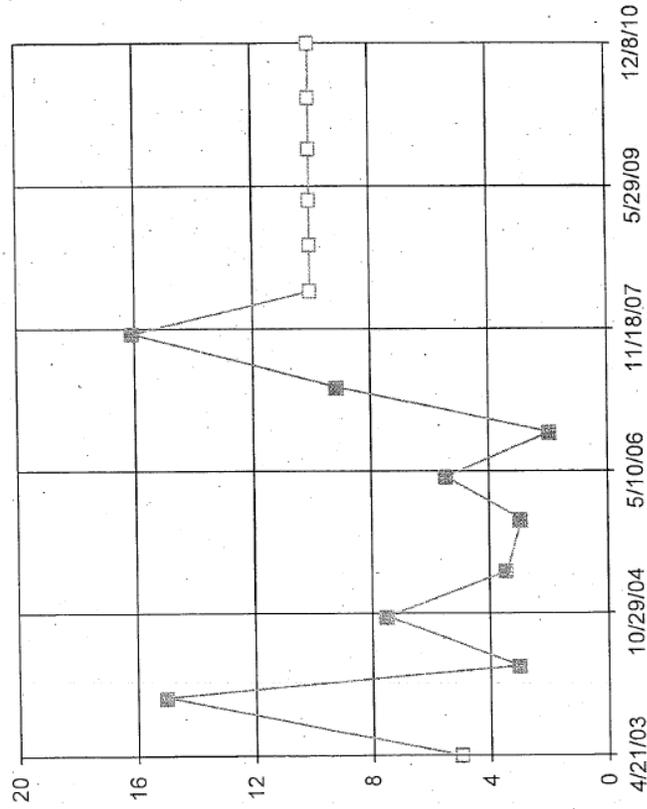


1/6n

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.

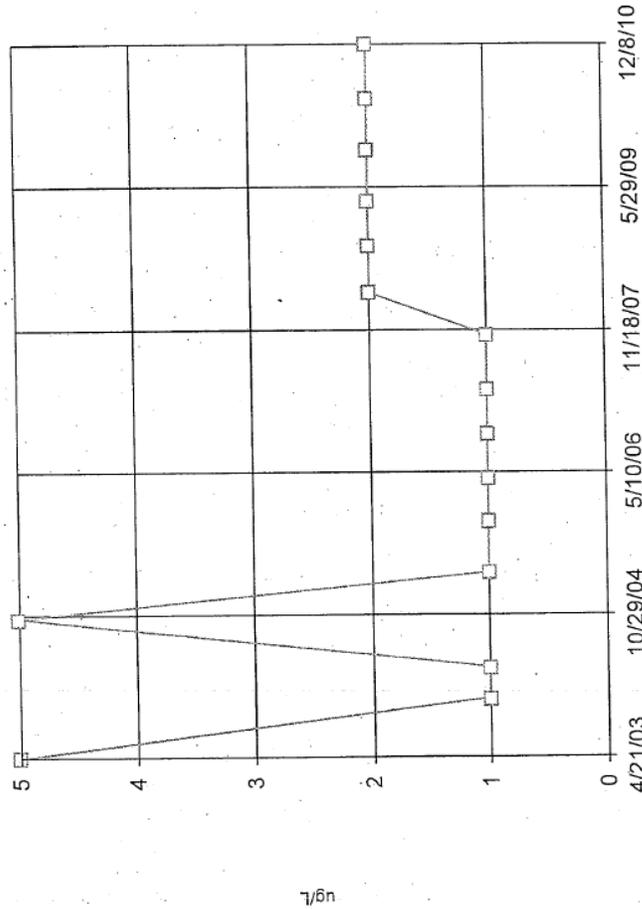
Time Series



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.

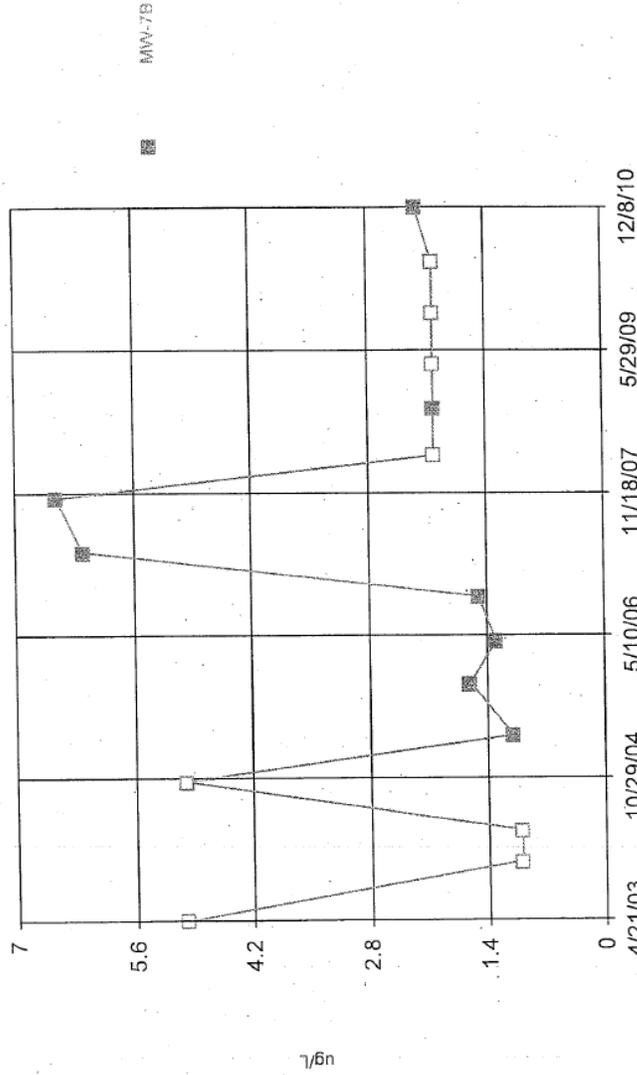
Time Series



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.

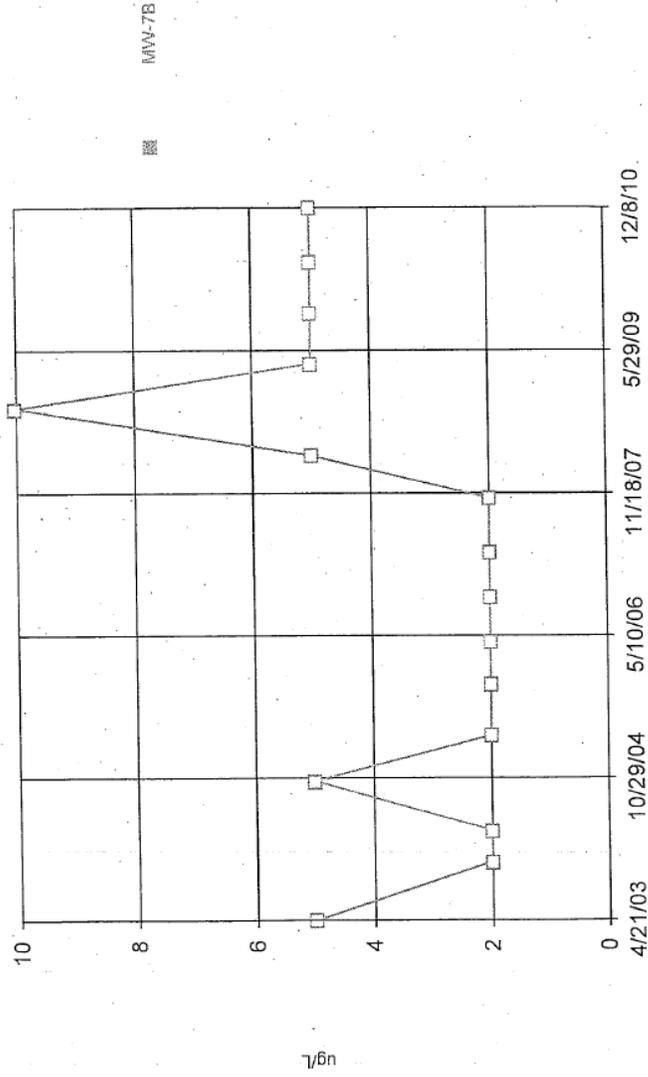
Time Series



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.

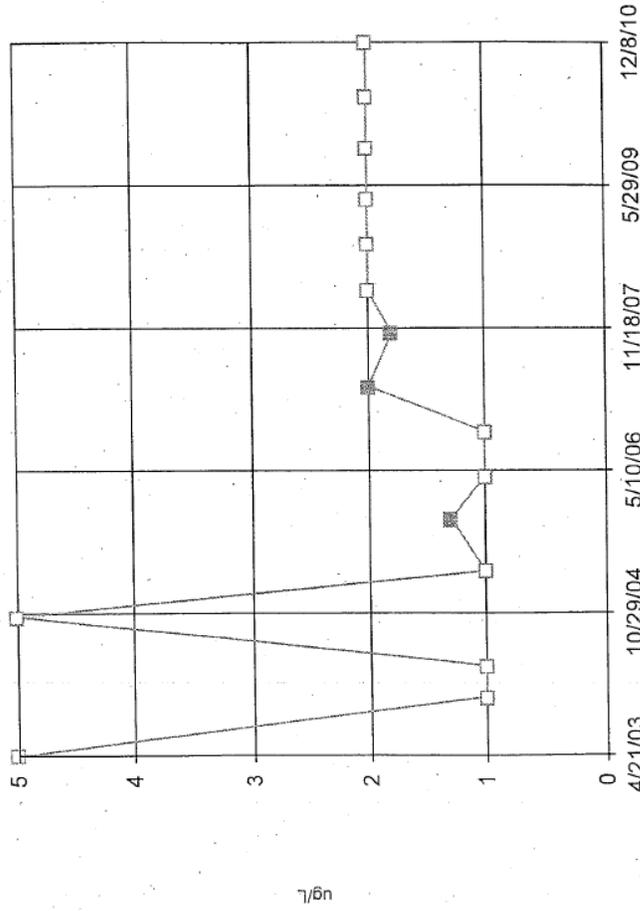
Time Series



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

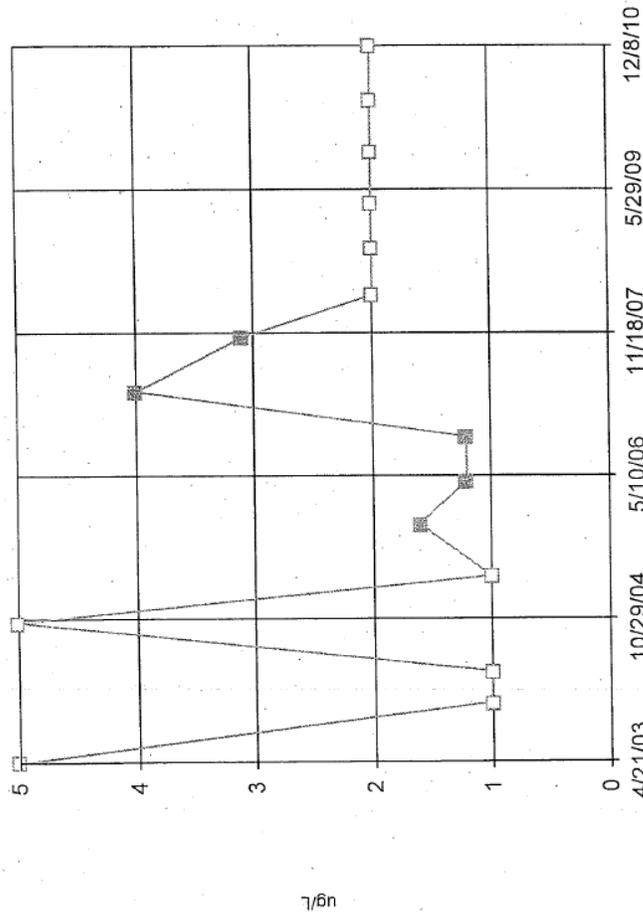


MW-7B

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.

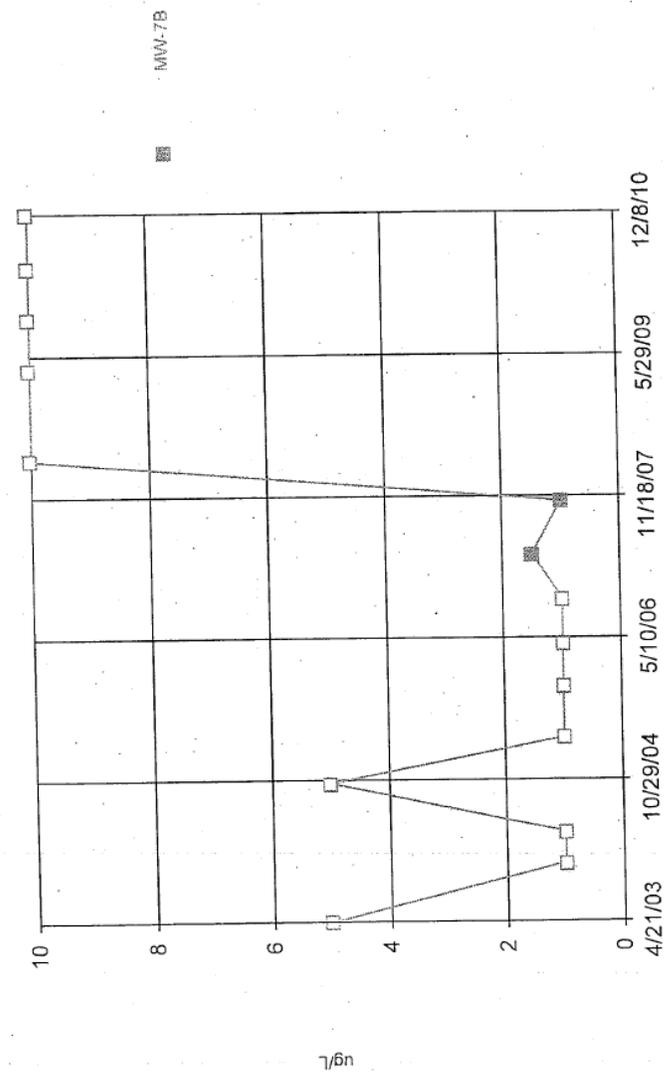
Time Series



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

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

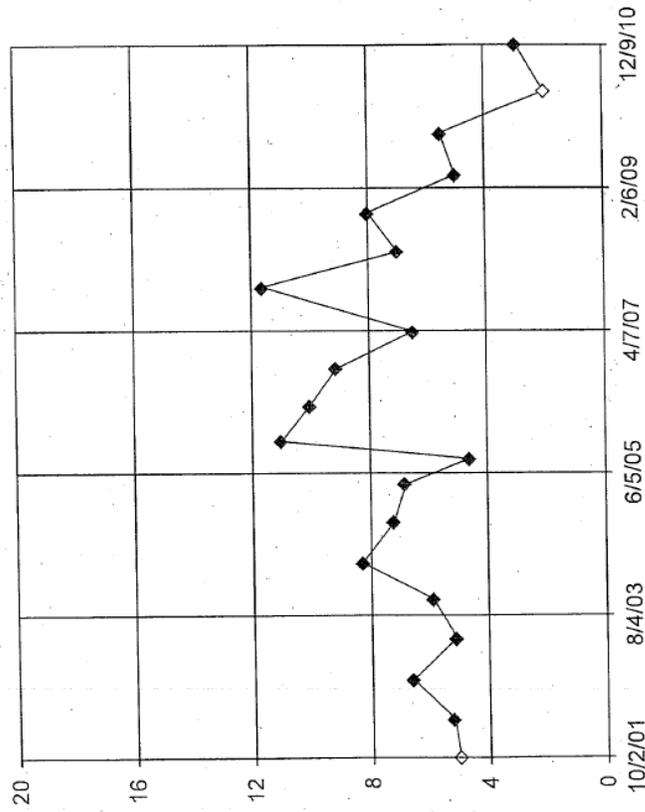
Time Series



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

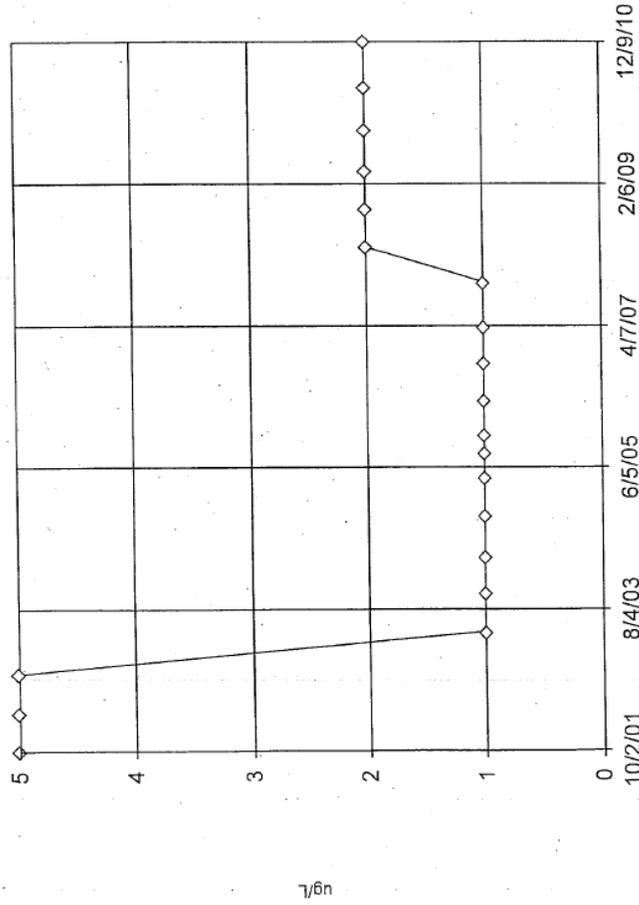
v.9.1.21 n/a. UG
Hollow symbols indicate non-detect values.

Time Series



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

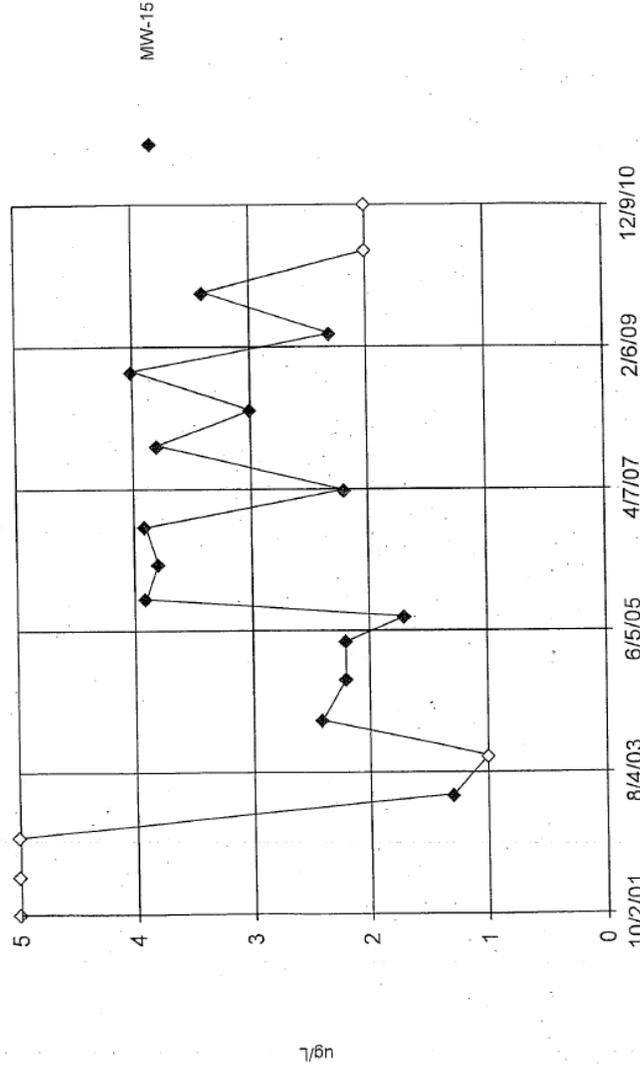
Time Series



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

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

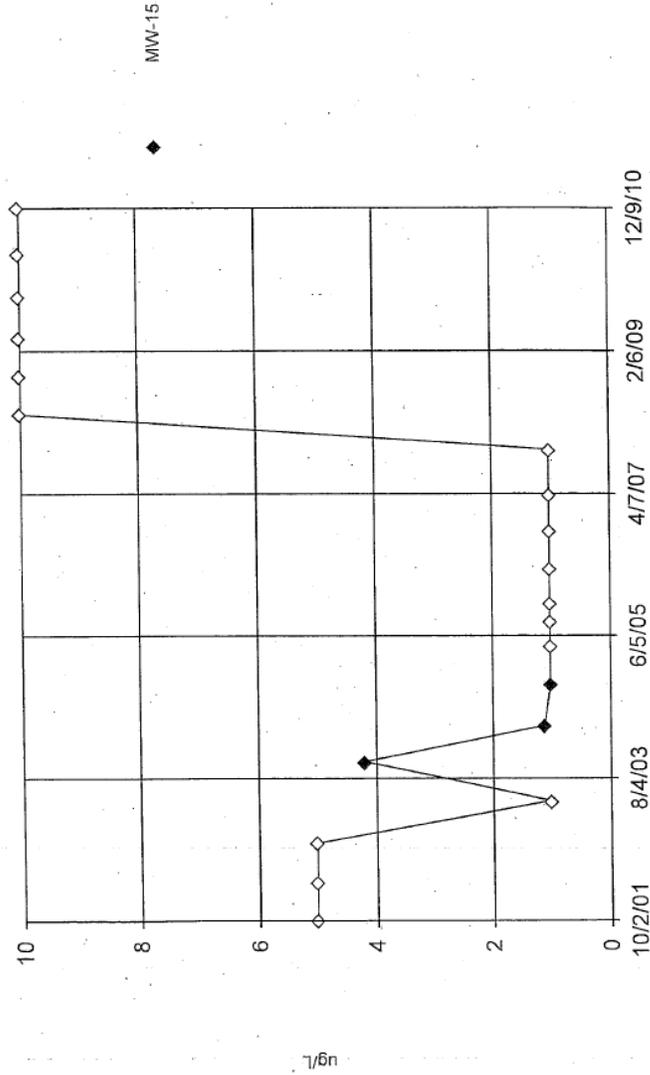
Time Series



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

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

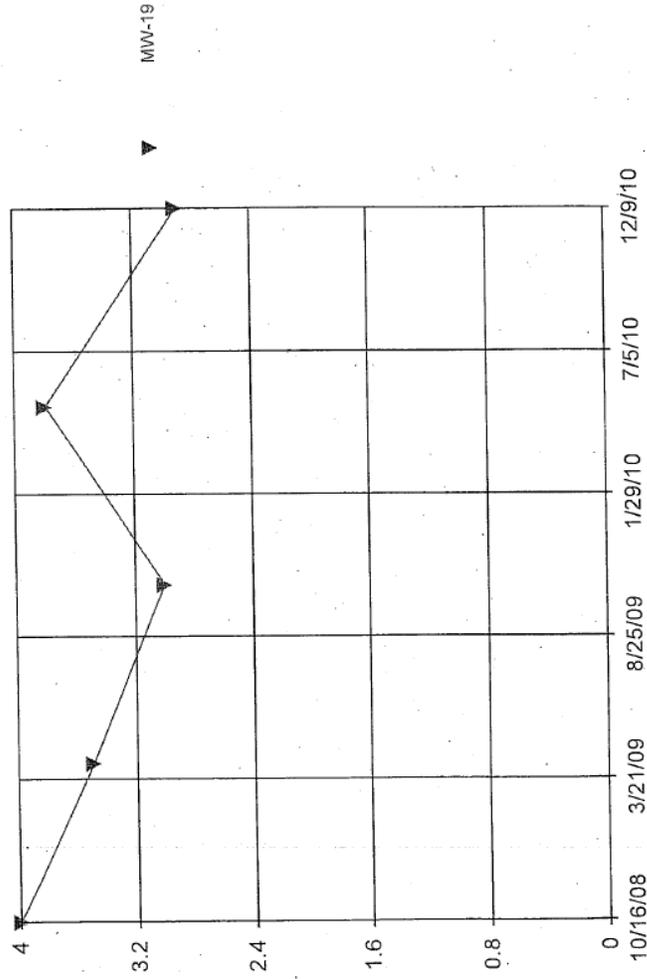
Time Series



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

v9.1.21 n/a. UG

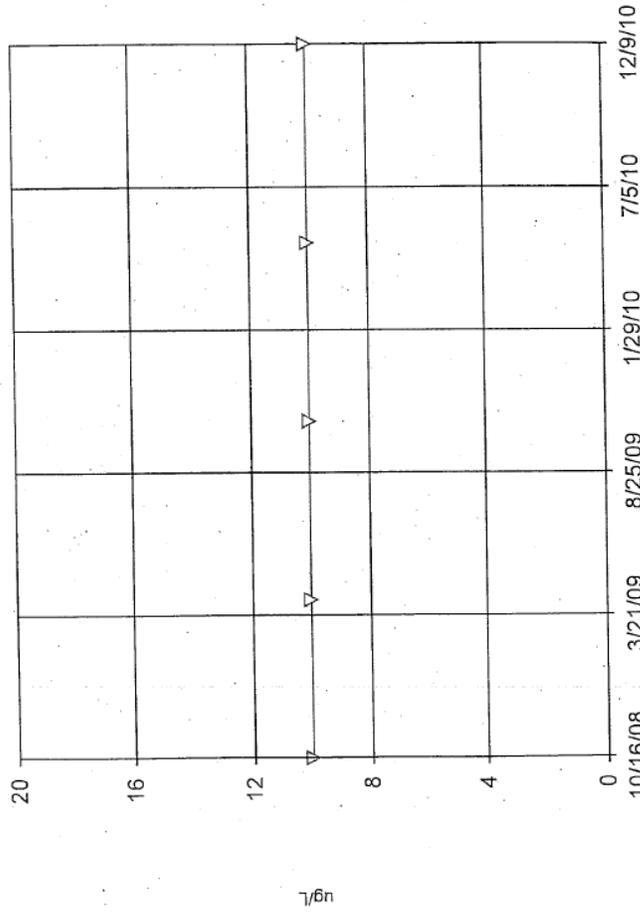
Time Series



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

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

Time Series

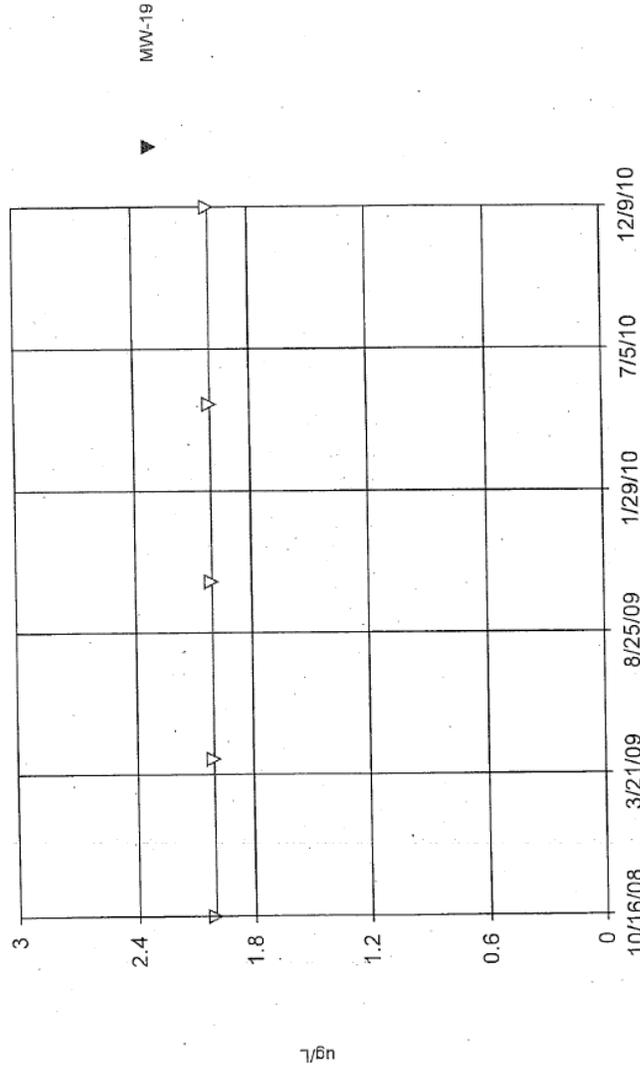


MW-19

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.

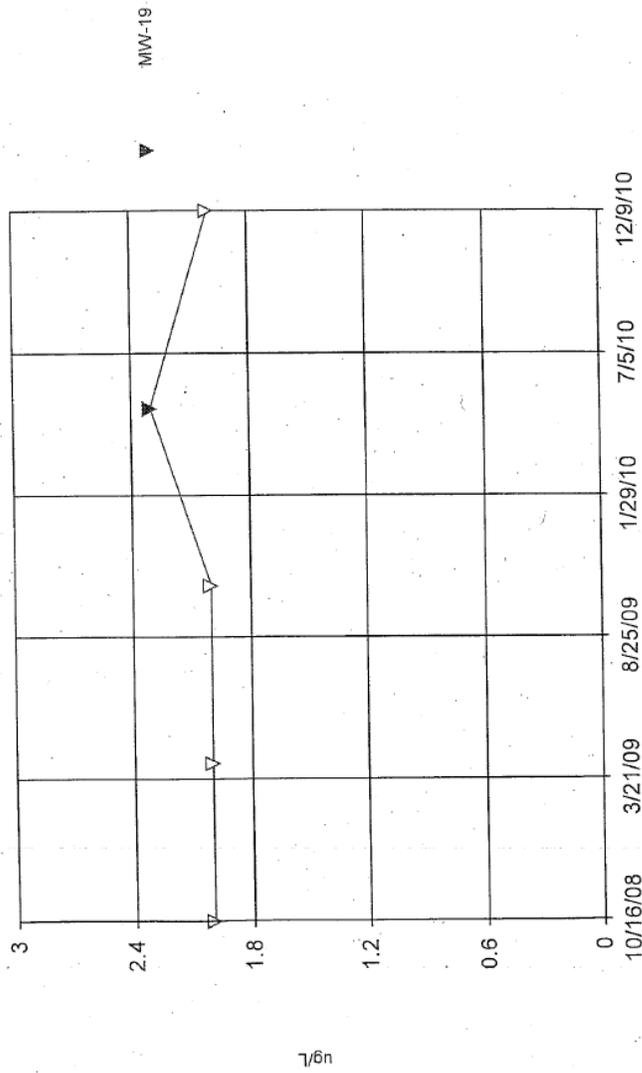
Time Series



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

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

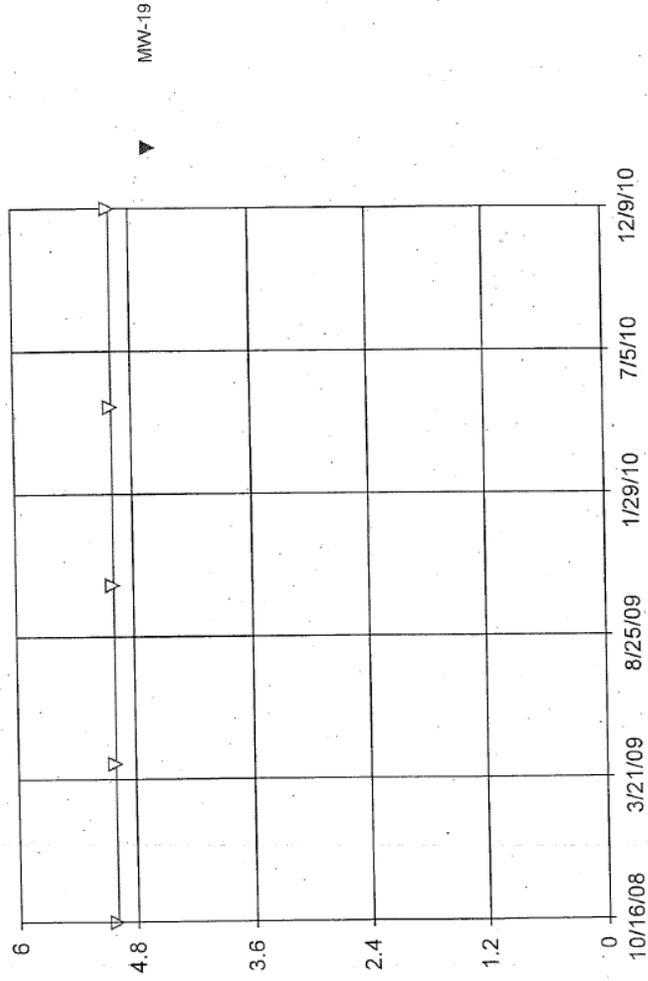
Time Series



Constituent: cis-1,2-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.

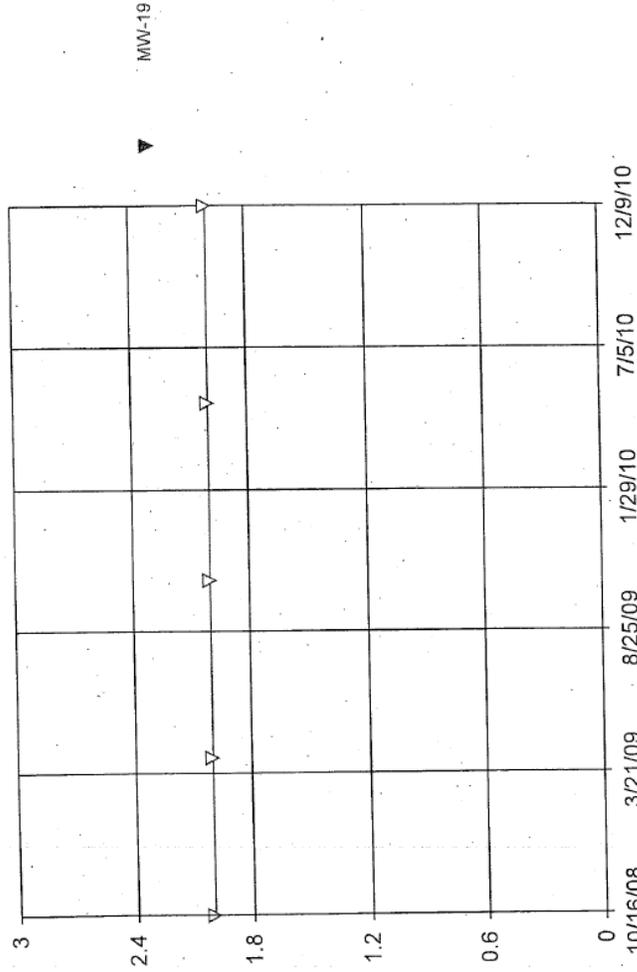
Time Series



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

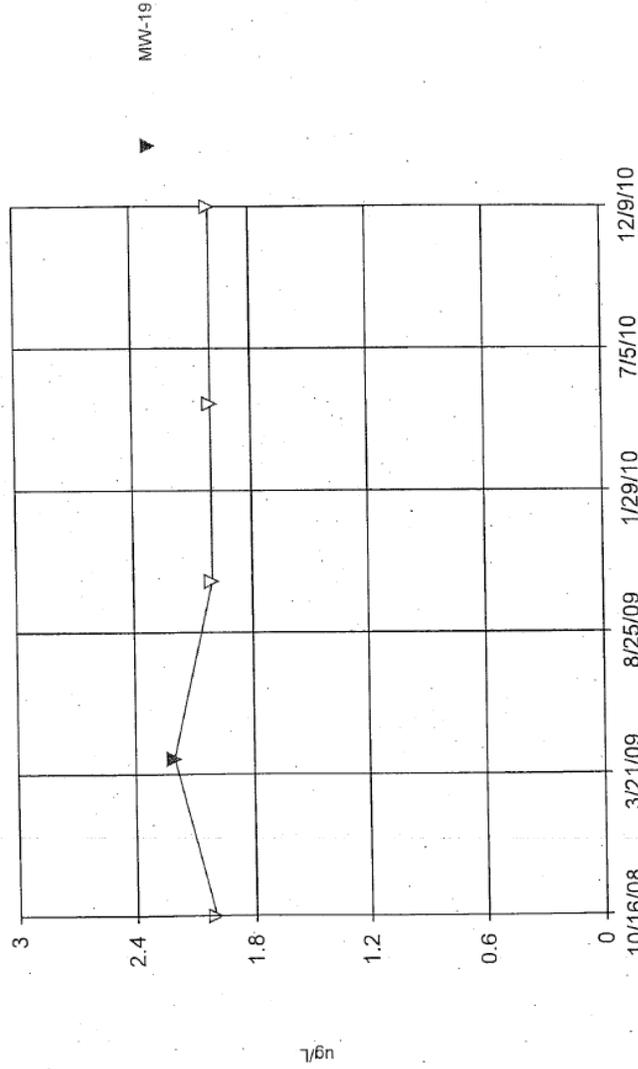


7/6n

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.

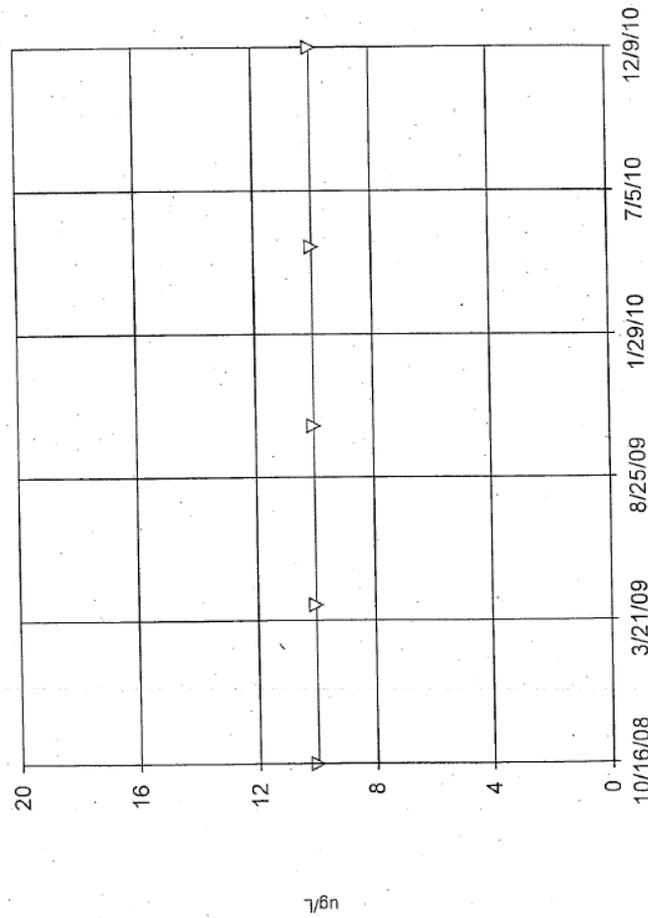
Time Series



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.

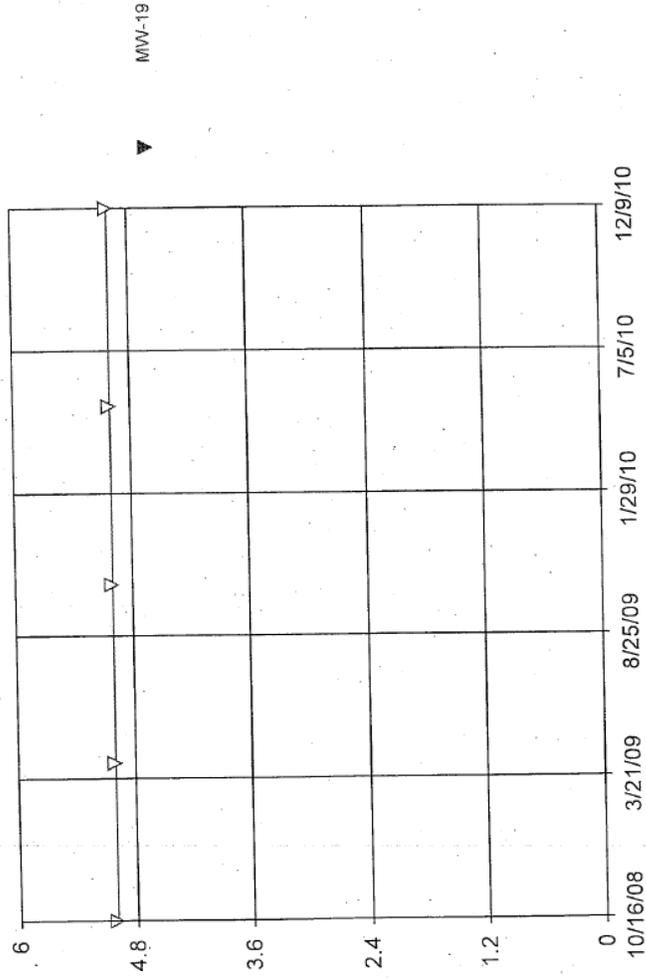
Time Series



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

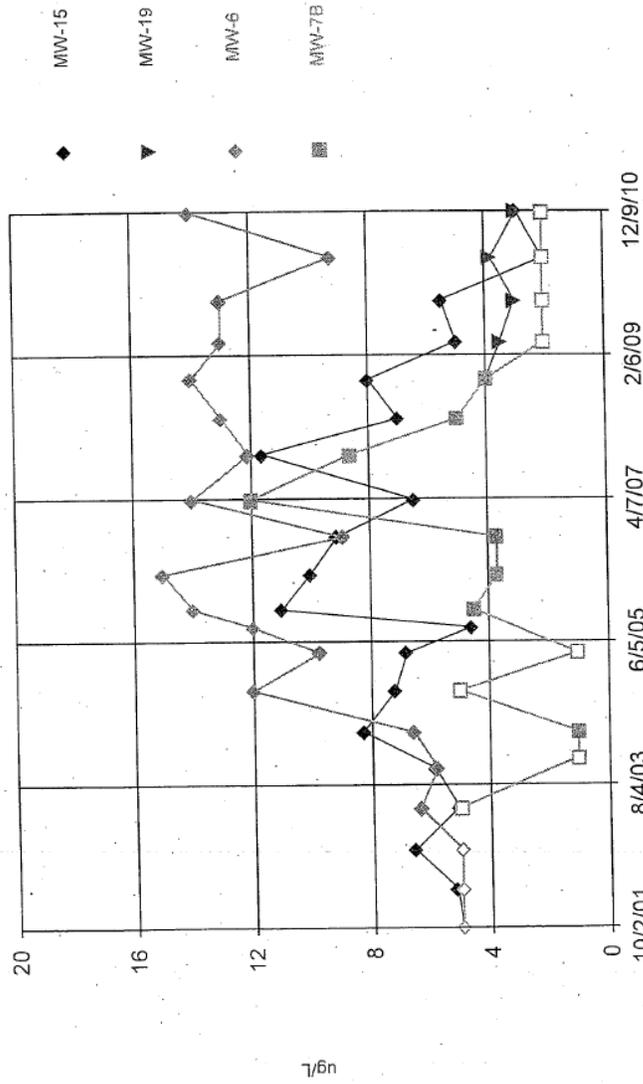


Constituent: Xylenes [Total] Analysis Run: 3/8/2011 9:59 AM
Facility: Northeast LF Client: Northeast LF Data File: Northeast

Individual Constituent and Multiple-Well Plots

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

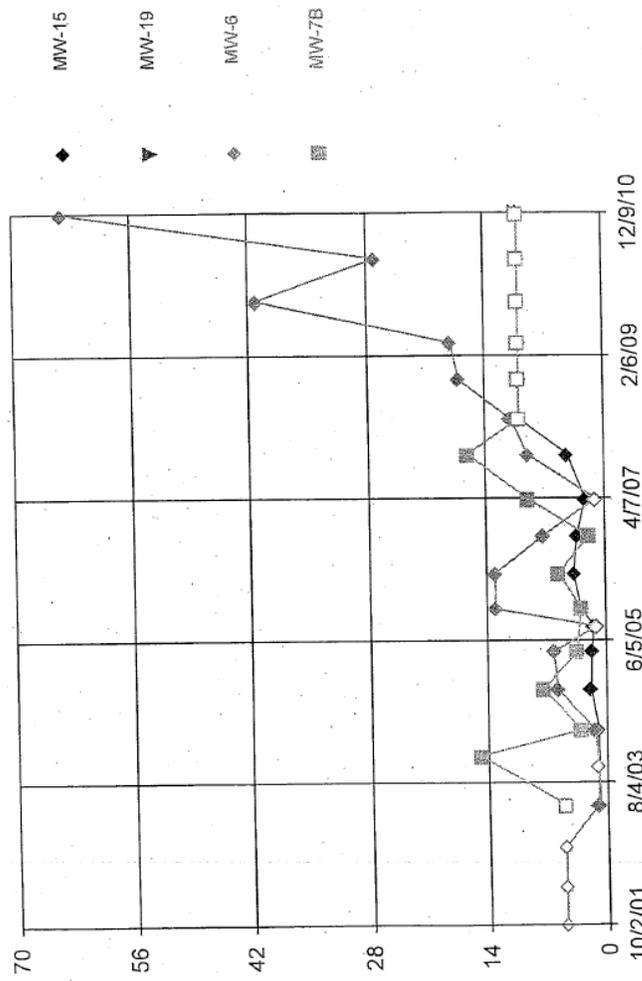
Time Series



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.

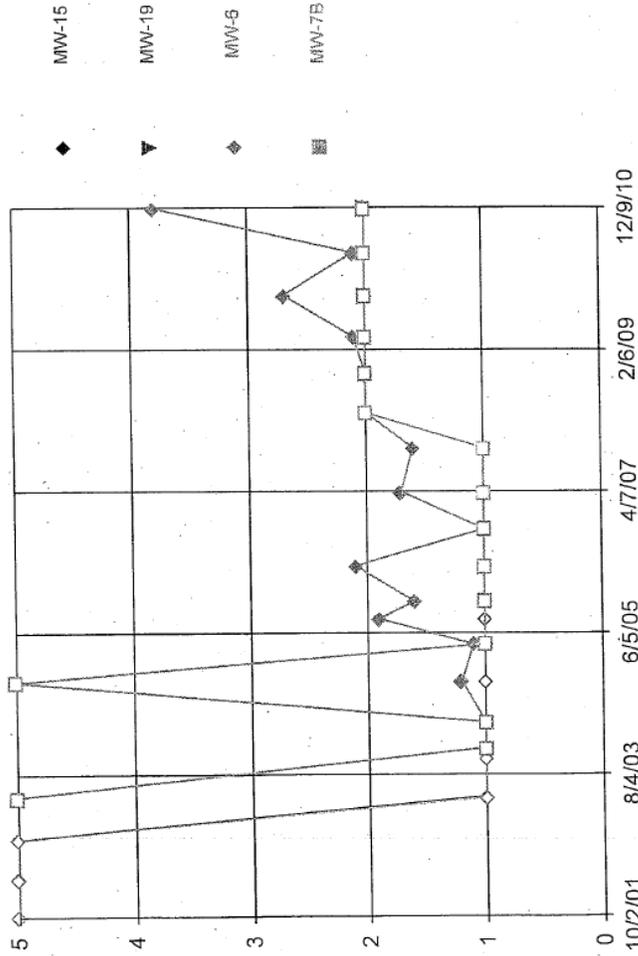
Time Series



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



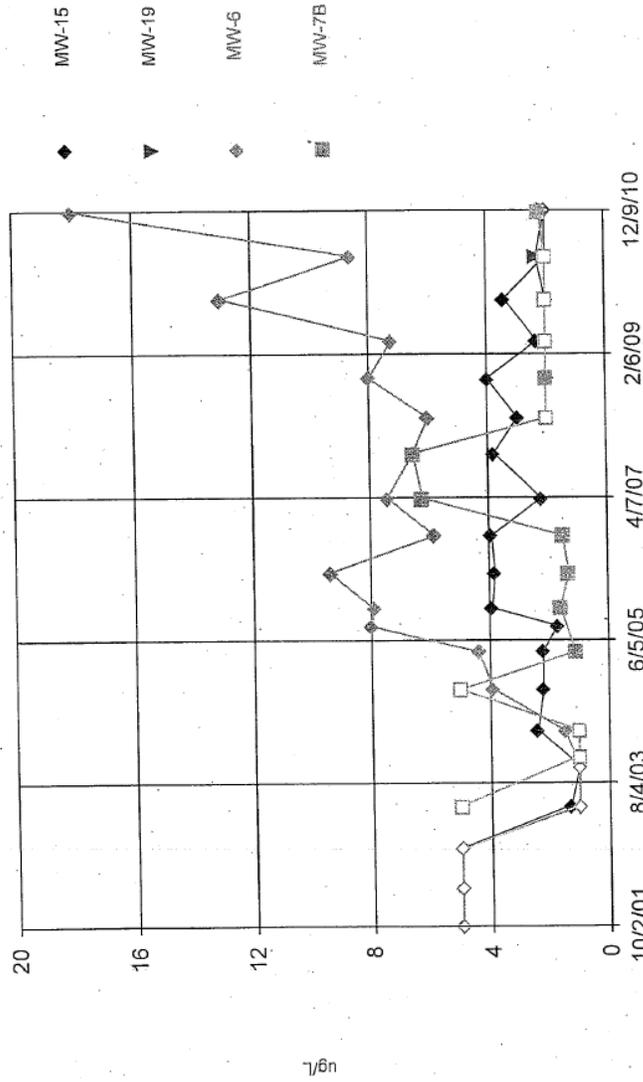
ug

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.

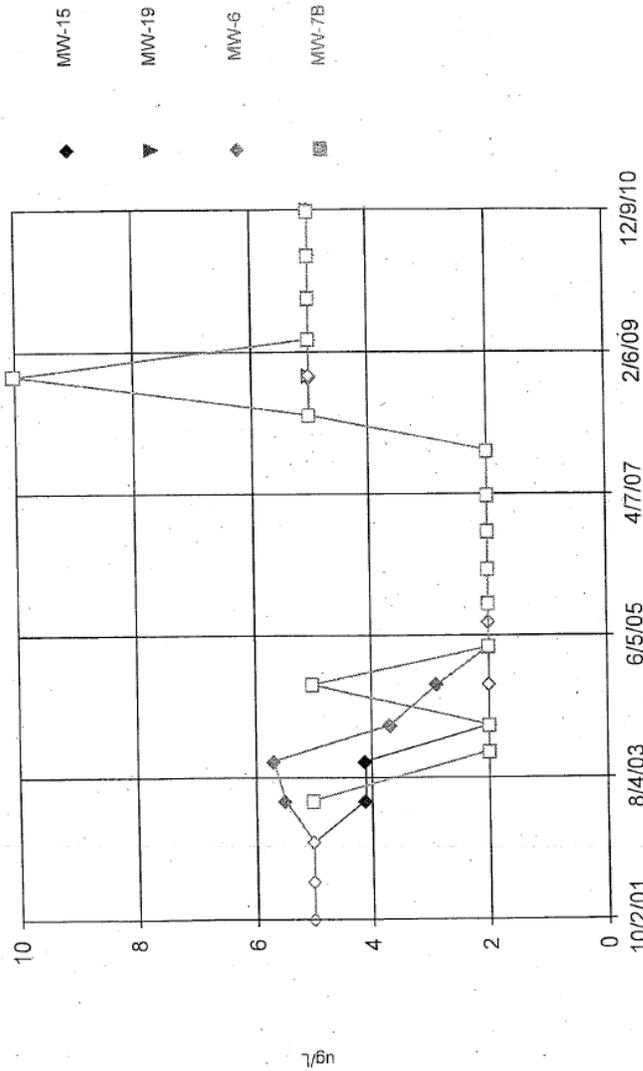
Time Series



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.

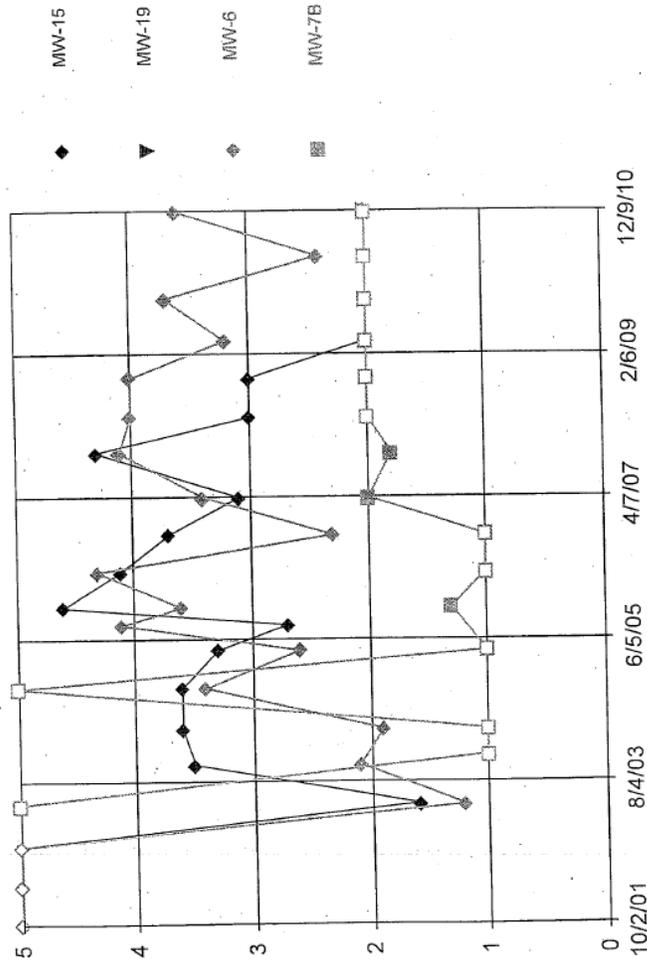
Time Series



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.

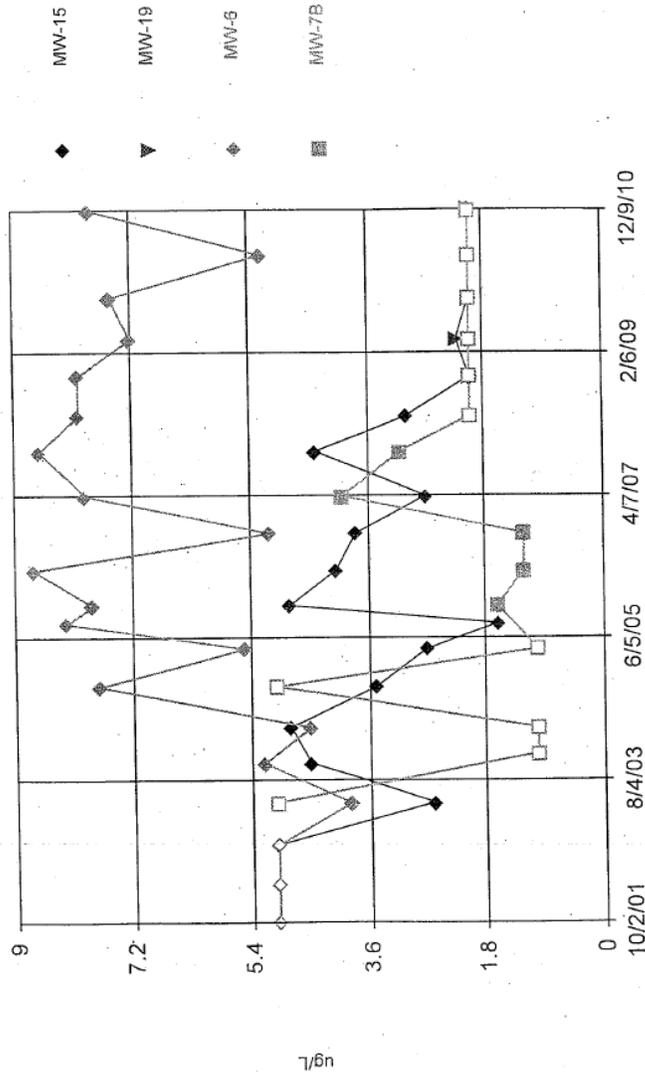
Time Series



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.

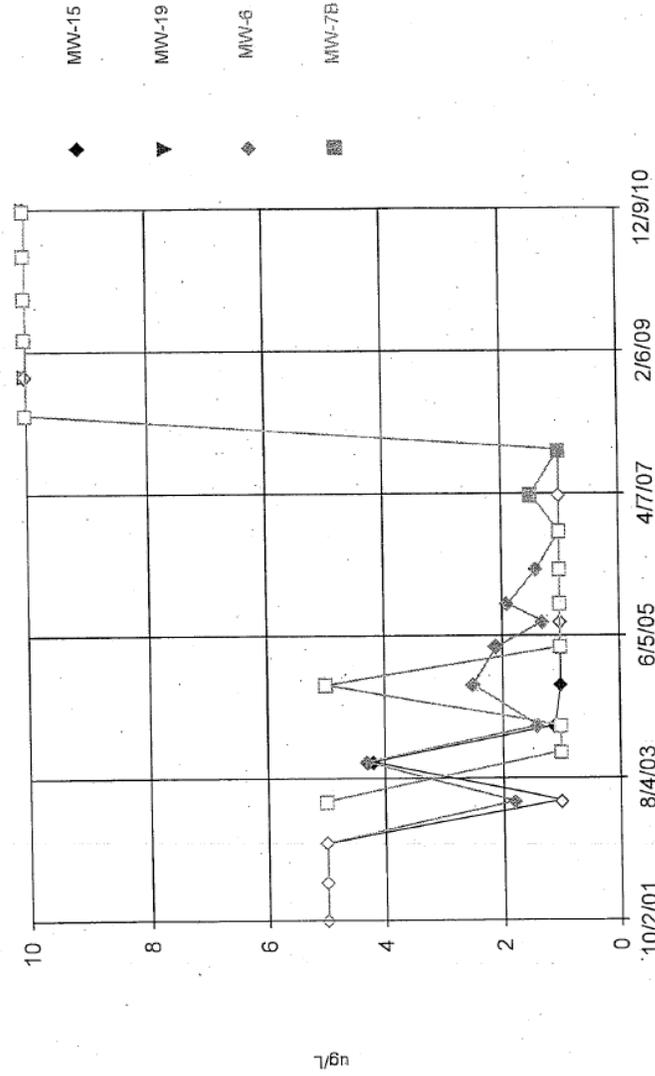
Time Series



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

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

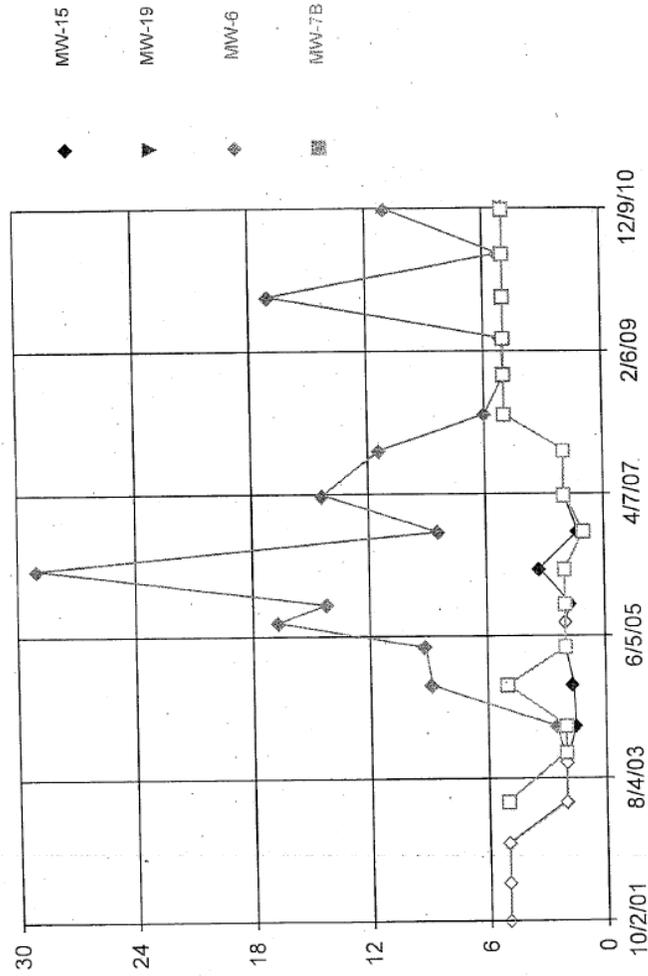
Time Series



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

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

Time Series



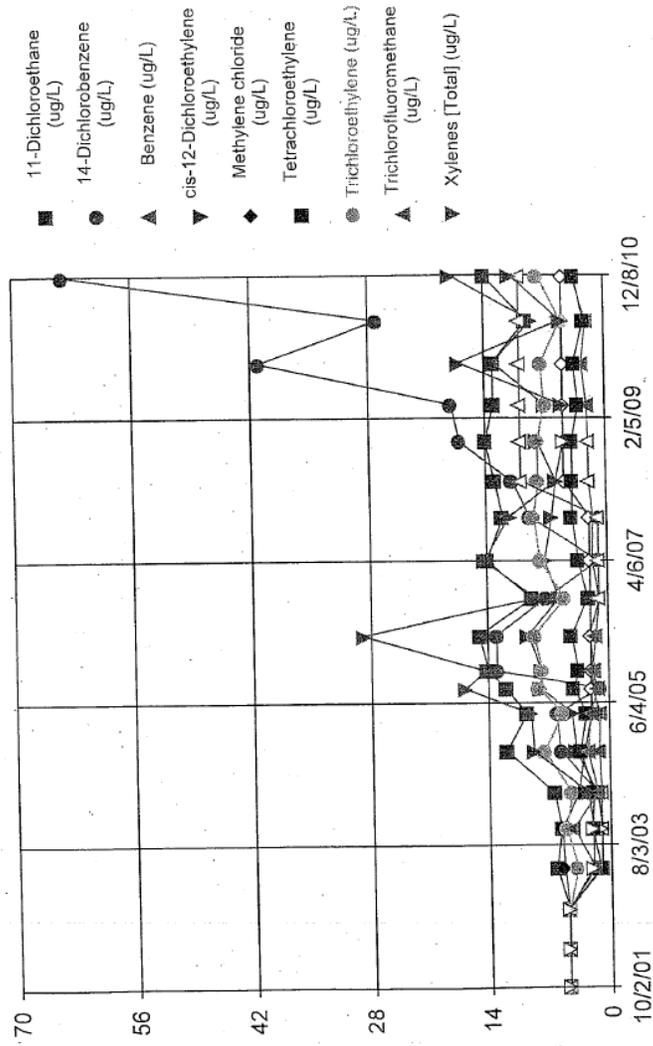
Constituent: Xylenes [Total] Analysis Run 3/8/2011 9:59 AM
Facility: Northeast LF Client: Northeast LF Data File: Northeast

Well and Multiple-Constituent Plots

v.9.1.21 r/e. 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

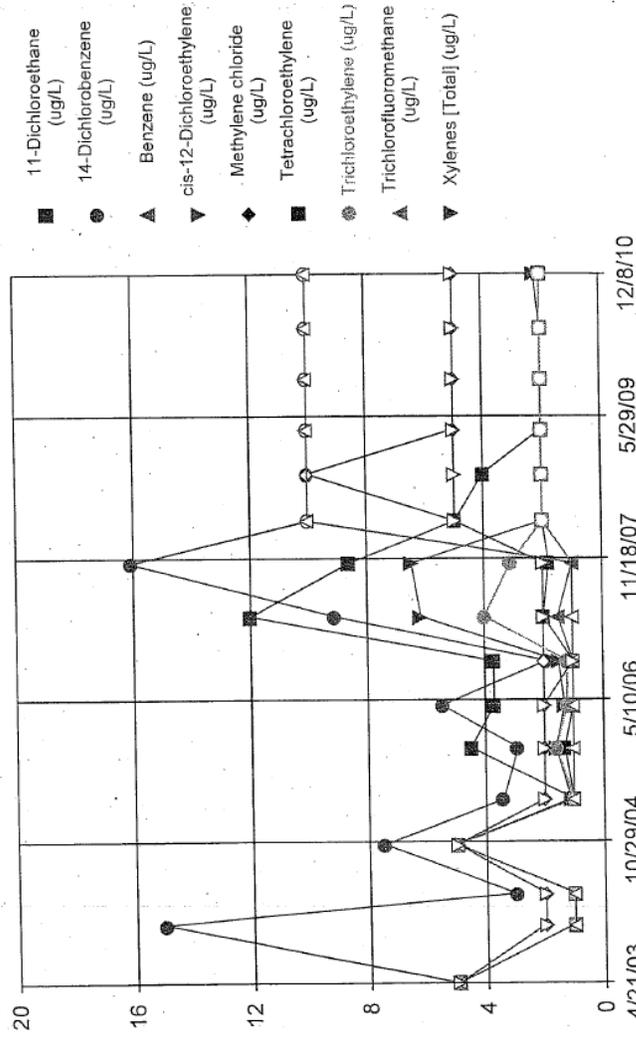
Constituent: Xylenes [Total] (ug/L) Analysis Run 3/8/2011 9:56 AM
 Facility: Northeast LF Client: Northeast LF Data File: Northeast

	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

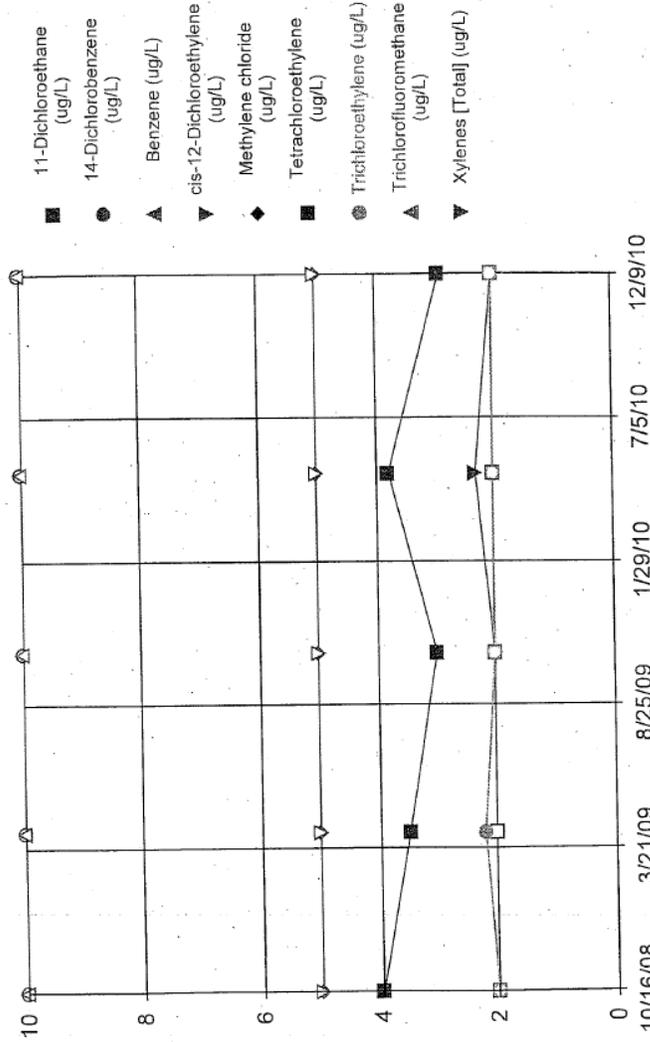
Constituent: Xylenes [Total] (ug/L) Analysis Run 3/8/2011 9:56 AM
 Facility: Northeast LF Client: Northeast LF Data File: Northeast

	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

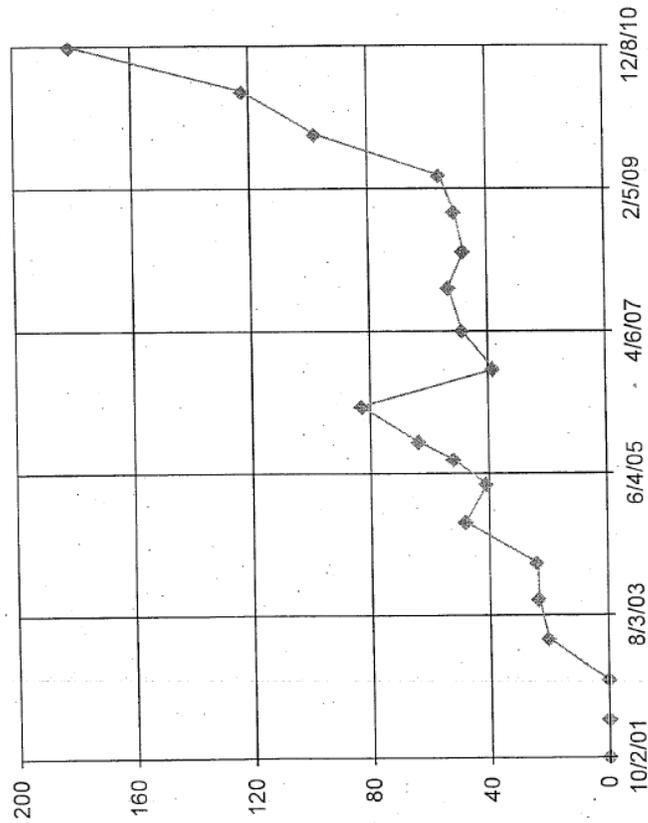
Constituent: Xylenes [Total] (ug/L) Analysis Run 3/8/2011 9:57 AM

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

v.9.1.21 na.UG

Time Series



MMW-6

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

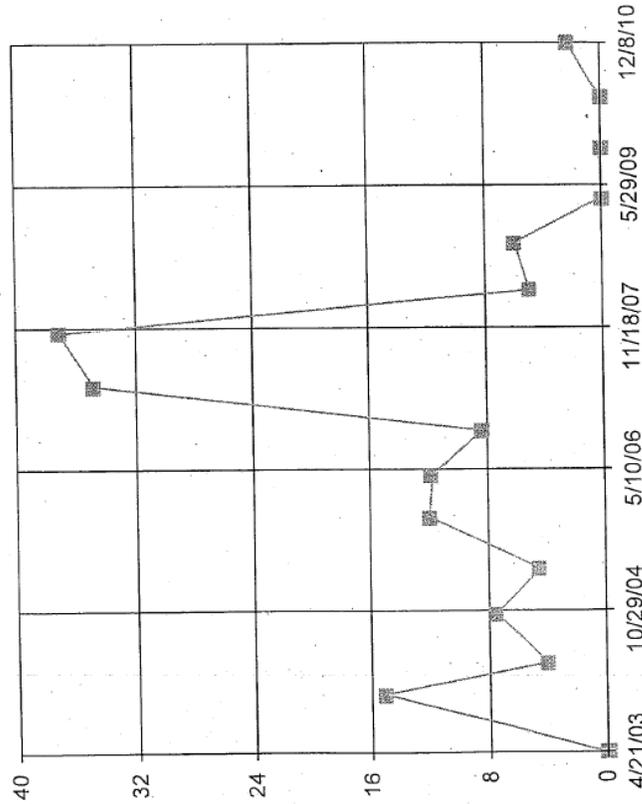
Time Series

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

	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

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

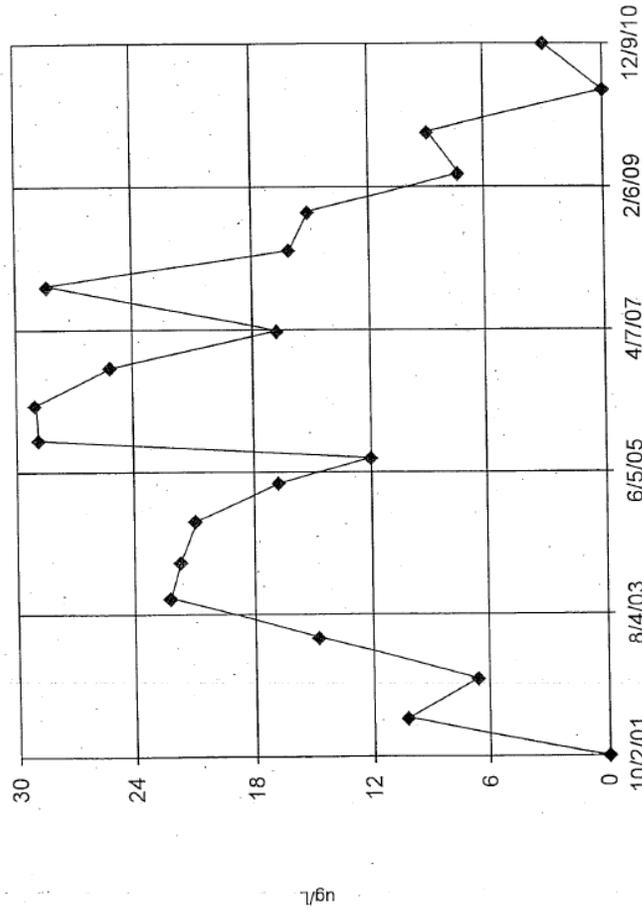
Time Series

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



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

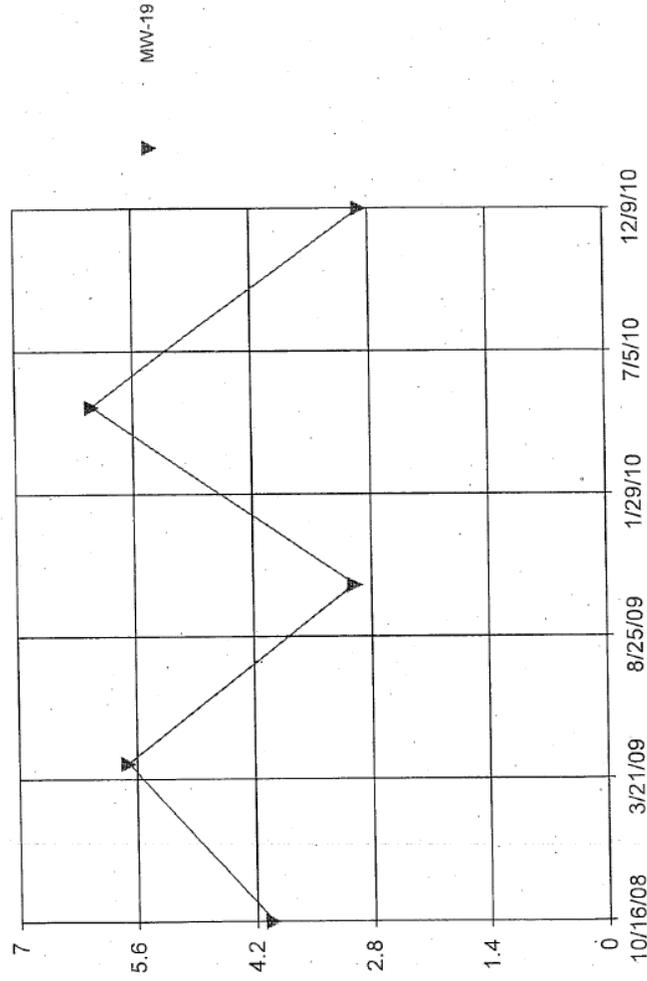
Time Series

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

	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	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: 3/8/2011 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
5/8/2010	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

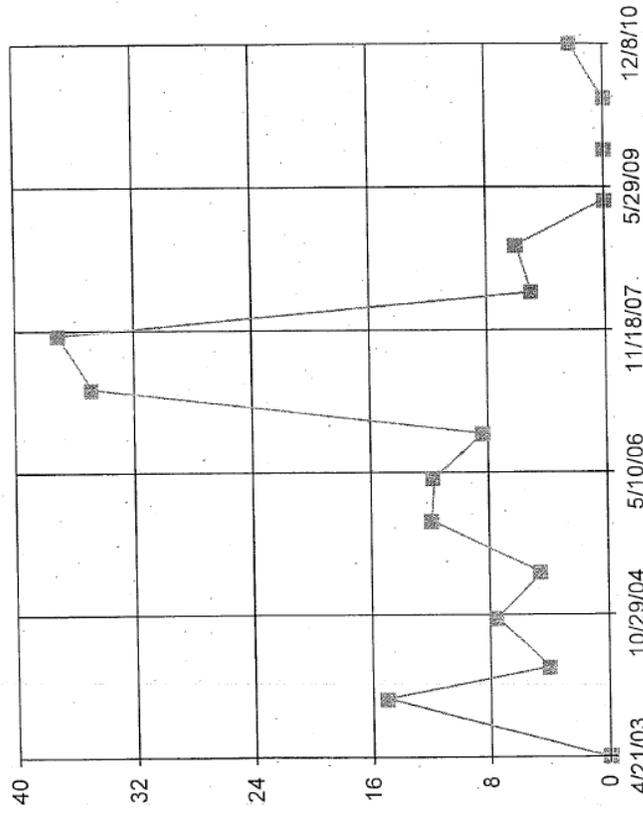
Time Series

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

	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

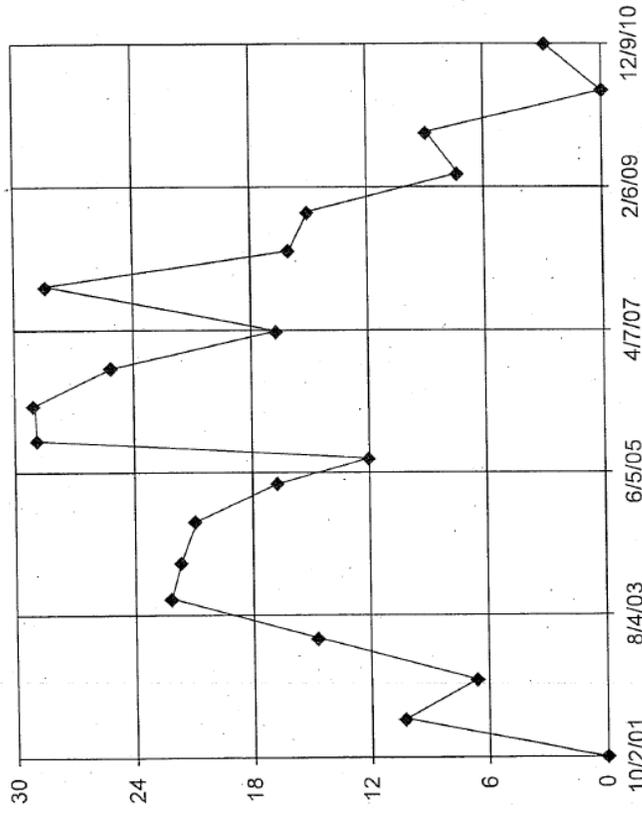
Time Series

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

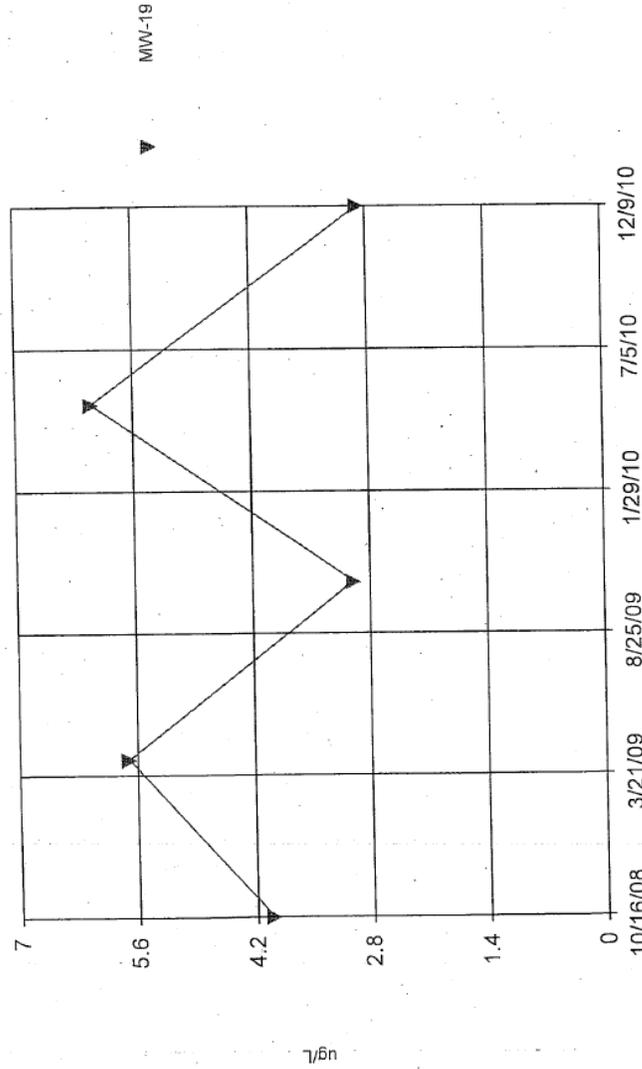
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4/4/2007	16.7
10/31/2007	28.4
4/14/2008	16
10/15/2008	15
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12/9/2010	2.9

v.9.1.21 n/a.UG

Time Series



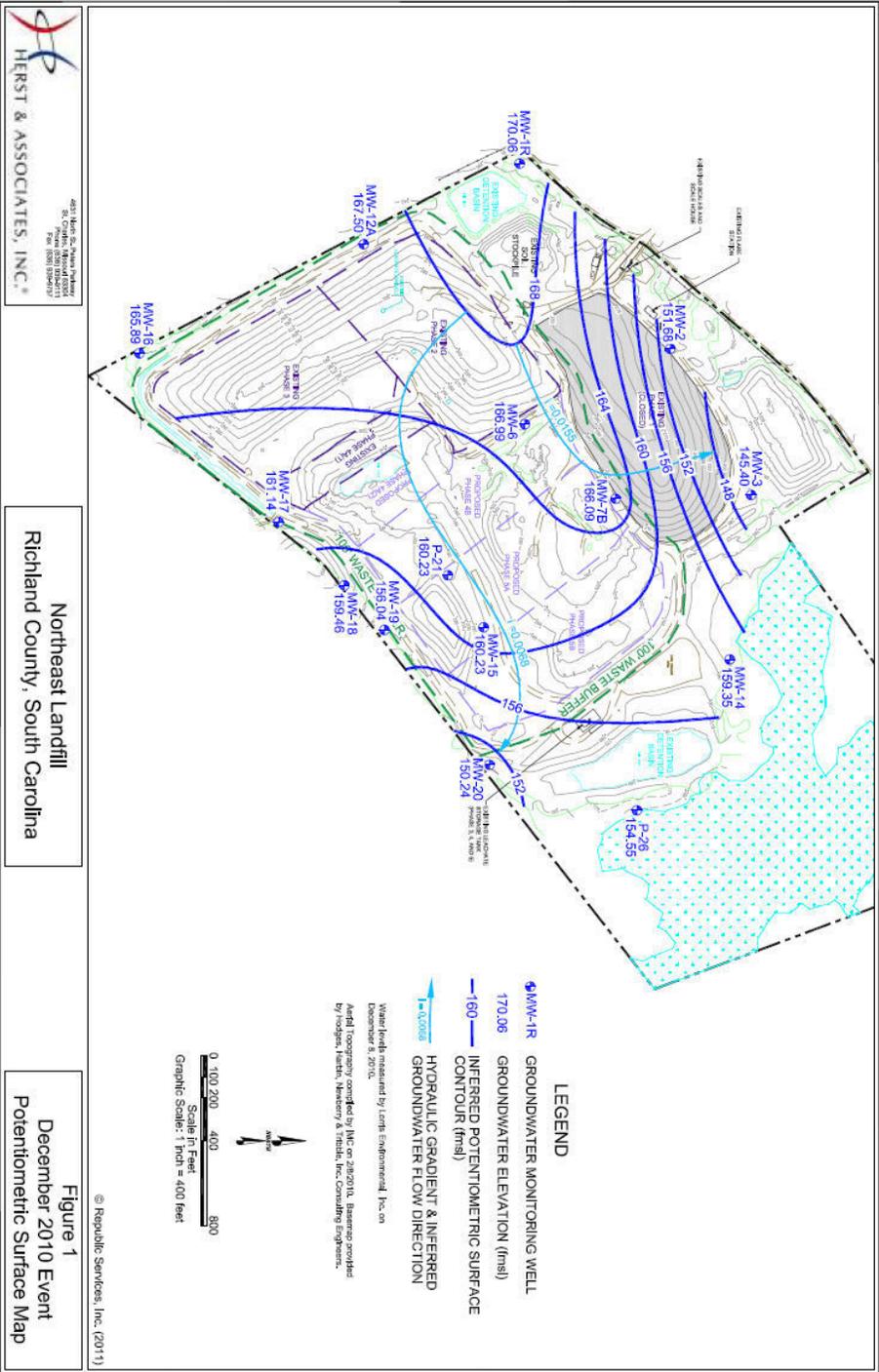
MW-19

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5/6/2010	6.1
12/9/2010	2.9



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 108-110)

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

Calculation of Salary for Retirement Purposes (pages 112-113)

Reviews

Richland County Council Request of Action

Subject: Calculation of Salary for Retirement Purposes

A. Purpose

The purpose of this item is to request the County Council's consideration of a motion made at the September 6, 2011, Council Meeting regarding the calculation of salary for retirement purposes.

B. Background / Discussion

At the September 6, 2011, Council Meeting, Council Member Norman Jackson introduced the following motion:

“Overtime compensation shall not be calculated towards retirement salary.”

Under this motion, employees who receive overtime compensation would not have that part of their compensation included in their annual salary for calculation of retirement benefits.

However, Richland County employees are members of the South Carolina Retirement System (SCRS), and it is the SCRS that governs what portion of an employee's salary will and will not be included in the total compensation used for calculation of retirement benefits. And in all cases, the SCRS requires that overtime compensation must be included when determining retirement benefits. The County, therefore, does not have the authority to change this requirement; it can be changed only by State legislation.

C. Financial Impact

Because the County does not have the ability to affect the change that is called for in the motion, there is no financial impact.

D. Alternatives

1. Abandon the concept of excluding overtime compensation for calculation of retirement benefits.
2. Seek an amendment to State law that would change how retirement benefits are calculated.

E. Recommendation

By: Motion by Council Member Norman Jackson

Date: September 6, 2011 Council Meeting

F. Reviews

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

Human Resources

Reviewed by: Dwight Hanna

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Human Resources supports compliance with the applicable SCRS regulations, unless and until they are revised.

Finance

Reviewed by: Daniel Driggers

Date: 9/12/11

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Agree with HR Director

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: It is my understanding that the SCRS as well as the Fair Labor Standards Act regulates what earned income will be calculated as it relates to county employees for retirement purposes.

Administration

Reviewed by: Tony McDonald

Date: 9/13/11

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend denial as it is the SCRS rather than individual local governments that establish the rules for the calculation of salary for retirement purposes.

After further discussion with Council Member Jackson on 11/15/11, it has been determined that the issue Mr. Jackson was intending to address in his motion can be more adequately addressed through the new City/County Fire Service Agreement.

Richland County Council Request of Action

Subject

Valhalla Micro Surfacing Project (pages 115-116)

Reviews

Richland County Council Request of Action

Subject: Valhalla Micro Surfacing Project RC-CN-505-1112

A. Purpose

County Council is requested to approve a change order for approximately \$60,000 for the Valhalla Micro Surface Project. This change order is for the additional base repairs that were needed for the micro surfacing of Valhalla Drive. A request was submitted and approved for an additional \$60,000 in funding from the CTC to cover this change order.

B. Background / Discussion

Valhalla Drive was originally part of the FY2007 resurfacing project as Additive #7. The FY2007 resurfacing project was funded by the CTC for \$1.4 million dollars. When the FY2007 resurfacing project was bid, there was not enough funding to resurface all of the additives and Valhalla Drive was taken out of the contract to be a stand alone project due to insufficient funding from the CTC at that time.

The CTC now has a positive balance and has allocated \$246,205.45 dollars in funding for this project. The project bid from Roadway Management, Inc. is in the amount of \$219,856.24. This leaves a balance of \$26,349.21 that can be used for any change orders or overruns.

Before the microsurfacing started, base repairs were made on Valhalla Drive using Full Depth Patching. Richland County staff identified the areas in need of Full Depth Patching for this project in the summer of 2011, but did not mark the commercial area between Two Notch Road and Graces Way. Due to the nature of the repairs made with the milling machine and the area that was not marked, there was an overrun of approximately 2,000 square yards of full depth patching. The unit price for Full Depth Patching is \$40/square yard per the contract with Roadway Management. This totals approximately \$80,000 in over runs. This project was set up with a surplus of \$26,349.21 for any over runs, so the change order will be approximately \$60,000 for the full depth patching.

C. Financial Impact

The CTC has approved the requested funding for the change order in the amount of \$60,000.

D. Alternatives

Since the work has been completed and the funding approved by the CTC, there is only one (1) alternatives for this ROA

- 1) Approve the Change Order for Roadway Management Inc. for the Valhalla Microsurface project in the amount of \$60,000

E. Recommendation

It is recommended that Council approve the request to approve the Change Order for Roadway Management Inc. for approximately \$60,000.

Recommended by: David Hoops, P.E. Department: Public Works Date: November 8, 2011

F. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 11/8/11
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood Date: 11/10/11
✓ 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:

Administration

Reviewed by: Sparty Hammett Date: 11/14/11
✓ Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Recommend approval of the change order for Roadway Management Inc. for approximately \$60,000.

Richland County Council Request of Action

Subject

Old LRADAC Building Environmental Remediation and Demolition Project (pages 118-120)

Reviews

Richland County Council Request of Action

Subject: Old LRADAC Building Environmental Remediation and Demolition Project

A. Purpose

Council is requested to authorize the Procurement Director to award a contract to the recommended contractor to perform the required Environmental Remediation and Demolition of the old LRADAC building located at 1325 Harden Street within the Administration Facility Complex.

B. Background / Discussion

The design work, as well as the bid documents for this project, was completed by the Dennis Corporation. The process completed by Dennis included substantial inspection and analysis of the building structural components as well as sampling and analysis of the building materials that were utilized during construction. Much of the materials utilized during the construction contain components that are deemed as hazardous by today's standards. This review and design process was lengthy due to the complexity of identifying and quantifying the hazardous materials. The Dennis Corporation will oversee the environmental remediation and demolition to ensure that the selected contractor meets all bid specifications, operates in a safe and environmentally responsible manner, meets all SC-DHEC air quality and hazard material removal requirements, the County's needs and expectations, and all OSHA and code requirements. This process will require air samples to be taken from multiple locations several times a day. These samples will be tested overnight for use in pre-work meetings each morning with Support Services, the engineer and contractor to ensure the current methods of containing all hazardous material are successful. Our goal is to ensure the safety of all persons in and around the project site as well as ensure no contaminants reach the environment before being properly contained, transported, and disposed of. The Environmental Remediation and Demolition of this project is expected to have a duration of 120 days, once the Notice to Proceed is issued by the Procurement Department.

The Contractor is to perform the work in a manner that will not create a negative impact the day to day operations provided by the County from the surrounding complex beyond any impacts approved throughout the design process.

Support Services has also worked to schedule this project so not to be in process concurrently with the improvements currently underway in the parking garage.

The result of the bid responses is as follows:

Bid summary by Contractor:

Contractor	Base Bid
Neo Corporation	\$349,600.00
Carolina Wrecking Inc.	\$362,058.00
Clear Site Industrial, LLC	\$363,200.00

Neo Corporation was recommended for contract award by Dennis Corporation based on their review of all returned bid packets, as well as being the lowest responsible bidder whose bid complies materially with the specifications and requirements as publicized.

C. Financial Impact

Project funding was budgeted for this project and exists within the Support Services budget. No additional funding is requested.

D. Alternatives

1. Approve the request to award the contract to Neo Corporation, the lowest responsive and responsible bidder whose bid complies materially with the specifications and requirements as publicized utilizing the funding available within the Support Services budget.
2. Direct staff to award the bid to one of the alternate bid responders.
3. Do not approve the request to award a contract at this time and leave the LRADAC facility in its current condition. This option will place the building at risk to further deterioration from water intrusion and possibly lead to higher demolition cost in the future. Additionally, if the building is not removed, it will continue to present a risk to the public with potential environmental hazards due to the presence of asbestos, PCB's, and lead paint within the building. The facility also creates an ongoing security hazard due to the building being abandoned and intrusions by unauthorized persons.

E. Recommendation

It is recommended by Support Services that Council authorize alternative 1.

Recommended by: John Hixon Department: Support Services Date: 11/3/11

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 11/4/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Budget funds are appropriated for the project.

Procurement

Reviewed by: Rodolfo Callwood

Date: 11-04-11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Approve award of a contract to NEO Corporation the lowest, responsive and responsible bid which complies

materially with the specifications publicized. Additionally recommend a twenty (20%) contingency.

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: Tony McDonald

Date: 11/7/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval of the award of a contract to Neo Corporation for the demolition of the LRADAC Building. Further recommend a 25% contingency, which would be an additional \$87,400. Funding for the contract award, as well as the contingency, has been budgeted; no additional funds are required.

Richland County Council Request of Action

Subject

Ordinance to amend Chapter 6, Building and Building Regulations, so as to correct the improper reference to the "Building Code Board of Adjustments" (pages 122-126)

Reviews

Richland County Council Request for Action

Subject: Ordinance to amend Chapter 6, Building and Building Regulations, so as to correct the improper reference to the “Building Codes Board of Adjustment”

A. Purpose

County Council is requested to approve an ordinance to amend Chapter 6, Building and Building Regulations; so as to properly reference the Building Codes Board of Appeals rather than the “Building Codes Board of Adjustment” wherever applicable.

B. Background / Discussion

On February 1, 2011, County Council enacted Ordinance No. 007–11HR, which changed the name of the “Building Codes Board of Adjustment” to the “Building Codes Board of Appeals”, among other things. When this ordinance was sent to American Legal Publishing for codification purposes, their editors notified us that there were other sections of Chapter 6 that also needed to be changed to reference the new name.

Therefore, the proposed ordinance was drafted to “clean up” a few sections of Chapter 6, so that all references were made to the Building Codes Board Appeals.

C. Financial Impact

None.

D. Alternatives

1. Approve the ordinance as presented.
2. Do not approve the ordinance.

E. Recommendation

It is recommended that County Council approve the ordinance as presented.

Recommended by: Amelia R. Linder Department: Planning Date: 10/31/11

F. Approvals

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

Finance

Reviewed by: Daniel Driggers

Date: 11/1/11

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Building and Inspections

Reviewed by: Donny Phipps

Date:

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: Recommendation to approve is based on representations in the ROA that this is only a name change and the change creates no other issues regarding the boards role and authority.

Administration

Reviewed by: Sparty Hammett

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval of the amended ordinance.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-12HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 6, BUILDINGS AND BUILDING REGULATIONS; SO AS TO PROPERLY REFERENCE THE BUILDING CODES BOARD OF APPEALS RATHER THAN THE “BUILDING CODES BOARD OF ADJUSTMENT” WHEREVER APPLICABLE.

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 6, Buildings and Building Regulations; Article II, Administration; Division 1. Generally; Section 6-18, Conflicts of Interest; is hereby amended to read as follows:

Sec. 6-18. Conflicts of interest.

No employee of the building codes and inspections department, except one whose only connection is as a member of the building codes board of adjustment appeals established by this chapter, shall be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building, or in the making of plans or of specifications therefore unless he/she is the owner of such building. No such employee shall engage in any work that is inconsistent with his/her duties or with the interests of the building codes and inspections department.

SECTION II. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 1. Generally; Section 6-19, Liability; is hereby amended to read as follows:

Sec. 6-19. Liability.

Any officer or employee of the building codes and inspections department, or member of the building codes board of adjustment appeals, charged with the enforcement of this chapter, acting for the council in the discharge of his/her duties, shall not thereby render himself/herself liable personally, and he/she is hereby relieved from all personal liability for any damage that may occur to persons or property as a result of any act required or permitted in the discharge of his/her duties. Any suit brought against any officer or employee because of such act performed by him/her in the enforcement of any provision of this chapter shall be defended by the county attorney until the final termination of the proceedings.

SECTION III. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 2. Building Codes and Inspections Director; Section 6-31, Powers and Duties; Subsection (d), Determination of Requirements Not Covered by Chapter; is hereby amended to read as follows:

(d) *Determination of requirements not covered by chapter.* Any requirement necessary for the safety, strength, or stability of an existing or proposed building, structure, or installation, or for the safety of the occupants of a building, or structure, not specifically covered by this chapter, shall be determined by the building official, subject to appeal to the building codes board of adjustment appeals.

SECTION IV. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 2. Building Codes and Inspections Director; Section 6-33, Appeals From Decisions; Subsection (a), General; is hereby amended to read as follows:

(a) *General.* Whenever the building official shall reject or refuse to approve the mode or manner of construction proposed to be followed or materials to be used, or when the holder of the permit claims that the provisions of this chapter do not apply, or that an equally good or more desirable form of construction can be employed in any specific case, or when it is claimed that the true intent and meaning of this chapter or any of the regulations thereunder were misconstrued or wrongly interpreted, the owner of such building or structure, or his/her duly authorized agent, may appeal the decision of the building official to the building codes board of adjustment appeals. Pending the decision of the building codes board of adjustment appeals, the building official's decision shall be considered binding.

SECTION V. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 3. Permits, Inspection and Certificate of Approval; Section 6-45, Examination of Application, Approval or Disapproval, Appeal From Disapproval; Subsection (c); is hereby amended to read as follows:

(c) The applicant may appeal the decision of the building official to the building codes board of adjustment appeals as provided herein.

SECTION VI. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 3. Permits, Inspection and Certificate of Approval; Section 6-46, Conditions of Issuance; Subsection (c); is hereby amended to read as follows:

(c) All building permits shall include a completion date in which construction shall be completed. Any permit issued shall become invalid unless the work authorized by it was commenced within six (6) months after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of one (1) year after the time the work is commenced; provided that, for cause, one or more extensions of time for periods not exceeding ninety (90) days each, may be allowed in writing by the building official. Any structure that has not been completed and has had no permitted/approved/inspected work for a period of one (1) year and has allowed the structure to get in a state of disrepair due to neglect and abandonment, shall be declared debris and abated by demolition. A lien shall be placed on the property and possible legal action taken against the owner for a violation of this Article and for any costs incurred for abatement. Decisions of the Building Official may be appealed to the Building Board of Adjustments and Appeals.

SECTION VII. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 4. Licensing and Bonding of Builders, Contractors and Craftsmen; Section 6-66, Craftsmen Qualification Cards; Subsection (b); is hereby amended to read as follows:

(b) Any person wishing to qualify permanently for qualification cards shall satisfy the building official of his/her competence by satisfactorily completing a written test of competence approved by the building codes board of adjustment appeals.

SECTION VIII. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 4. Licensing and Bonding of Builders, Contractors and Craftsmen; Section 6-67, Illegal Work, Revocation of License; is hereby amended to read as follows:

Sec. 6-67. Illegal work; revocation of license.

Any person engaged in the plumbing, electrical, mechanical (HVAC), or gas installation business, whose work does not conform to the rules and regulations set out in this chapter, or whose workmanship or materials are of inferior quality, shall on notice from

the building official make necessary changes or correction at once so as to conform to this chapter; if work has not been so changed after ten (10) days' notice from the building official, the building official shall then refuse to issue any more permits to that person until such work has fully complied with the rules and regulations of this chapter. The building official may appear before the building codes board of adjustment appeals and request that all licenses be revoked because of continued violations. Any license issued under this chapter, upon recommendation of the building codes board of adjustment appeals, may be revoked by the county council. When the revocation of any such license is to be considered and voted upon by the council at any meeting, the person to whom the license has been issued shall have at least three (3) days' notice in writing of the time and place of such meeting together with a statement of the grounds upon which it is proposed to revoke such license.

SECTION IX. The Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 5. Building Codes Board of Adjustment; is hereby amended to read as follows:

DIVISION 5. BUILDING CODES BOARD OF ADJUSTMENT APPEALS

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

SECTION XII. Effective Date. This ordinance shall be effective from and after _____, 2012.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY
OF _____, 2011

Michelle M. 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:

Item# 7

Attachment number 1
Page 5 of 5

Richland County Council Request of Action

Subject

Transfer of CMRTA to the City of Columbia (pages 128-132)

Reviews

Richland County Council Request of Action

Subject: Transfer of CMRTA to the City of Columbia

A. Purpose

Council is requested to consider the motion made at the October 18, 2011 Council Meeting, and direct staff as appropriate.

B. Background / Discussion

The following motion was made at the October 18, 2011 Council Meeting by Councilwoman Dickerson:

I would like to make a motion base the historical, recent agreements and amendments regarding Richland County’s participation with Central Midlands Regional Transit Authority (CMRTA) as well as the City of Columbia of which I am including for your review to pursue the procedures process to dissolve the CMRTA as it is currently known and transfer all operational, administrative and managerial ownership to the City of Columbia; whereby the public transportation system will be known as the City of Columbia Metropolitan Transit Authority. And that, Richland County be allowed to purchase services based on the needs of the unincorporated area.

The document referenced in the motion is attached below for your convenience.

The CMRTA is currently being funded temporarily by Richland County, the City of Columbia, and Lexington County (in a limited capacity).

CMRTA Board members represent all three aforementioned jurisdictions, as well as Blythewood, Forest Acres, the Richland County Legislative Delegation, and non-voting members from West Columbia and Chapin.

It is at this time that direction from Council is requested regarding this motion.

C. Financial Impact

The financial impact of this motion is not known at this time. Direction from Council is requested. Upon direction of Council, a financial impact can be determined.

D. Alternatives

1. Approve the motion. Provide direction to staff.

2. Do not approve the motion at this time.

E. Recommendation

By: Motion by Councilwoman Dickerson, October 18, 2011

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 10/27/11

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation:

This is an item for Council discretion and is much larger than just a funding decision. However based on the ROA the potential financial implications are not provided or known at this time, therefore I would recommend that any approval include a contingency for a financial review and identification of a source for any required funding.

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation: This is a policy decision of Council and is within Councils legal authority to decide. However, before making such a decision the Council may want to evaluate the pros and cons of the current proposed arrangement versus a purely contractual arrangement for services.

Administration

Reviewed by: J. Milton Pope

Date: 11-14-11

Recommend Council approval

Recommend Council denial

✓ Council Discretion (please explain if checked)

Comments regarding recommendation:

INTRODUCTION AND BACKGROUND

The Central Midlands Regional Transit Authority (CMRTA) assumed ownership and responsibility for public transit services in the greater Columbia, South Carolina metropolitan area on October 16, 2002. Prior to that date, the greater Columbia, South Carolina metropolitan area was the last area in the United States where the local private utility company (South Carolina Electric and Gas Company) was the owner and operator of mass transit (fixed route bus and paratransit) services.

The CMRTA was created under the State of South Carolina Code of Laws and is made up of representatives of 15 (fifteen) local jurisdictions. Membership on the CMRTA Board of Directors is distributed based on population, with Richland County having 8 members, the City of Columbia and Lexington County each having 5 members, and all small jurisdictions each having one member. In addition to the local government appointees, and in accordance with the State of South Carolina Code of Laws, each of the County Legislative Delegations is eligible to appoint a Delegation member to the CMRTA Board of Directors.

The CMRTA operating losses for the first few years were funded primarily from the temporary funding source known as the "transit-trust fund" established as a part of the original transition agreement. The "transit fund" received 4 equal installments over the first twelve months of operation, totaling \$15,000,000.00. The balances of the operating losses were funded with Federal and SCDOT-State Mass Transit dollars. Beginning in October 2003, the RTA started receiving annual contributions, for a seven (7) year period, from South Carolina Electric and Gas Company, with the final contribution from SCE&G scheduled for October 2009. Additionally, in October 2003, the City of Columbia began the provision of \$1,000,000.00 to the CMRTA for use in funding the system's operational and capital needs. The current agreement between the City and the CMRTA provides for the continued provision of \$1,000,000.00 annually until a long term dedicated local source of funding is secured. Those contributions are combined with available Federal and State funding to cover current and future operating and capital expenses. It should be noted that the City of Columbia discontinued payment of the \$90,000.00 annual contribution, provided for in the agreement between the City and the CMRTA for support of downtown trolley shuttle services, due to the discontinuation of the shuttle services in October 2005.

In November 2006, the Richland County Council voted to temporarily increase the County Road Maintenance Fee and to use up to \$2.8 million of the FY 2007 proceeds from the increase to help fund CMRTA public transit operations in Richland County. Richland County funding

support for the CMRTA began in February 2007. During the County's FY 2009 budgeting process, County Council approved the

provision of up to \$3,229,640.00 to support the CMRTA during the period July 1, 2008 – June 30, 2009.

In addition, in 2006, County Council directed a portion of the proceeds from the County Road Maintenance Fee (approximately \$500,000.) toward a comprehensive study of the overall transit/transportation and green space needs of the county. The Richland County Transportation Study was completed and presented to County Council in May 2008. The study completion schedule provided Richland County Council with approximately 75 days (until the August 15, 2008 filing deadline) to determine whether a comprehensive transportation ballot question would be included in the November 2008 general election. At the July 22, 2008 meeting, Richland County Council voted, on third reading, NOT to include a transportation funding question on the November 2008 general election ballot.

During the fall of 2008, the City of Columbia and Richland County formed an Ad-Hoc Interim Transit Funding Committee to work together to formulate a plan for interim funding to support the CMRTA until a decision can be made by the County to include a transportation funding question on the November 2010 general election ballot. At the January 2009 meeting of the Ad-Hoc Committee, Richland County presented an interim funding proposal that could sustain the CMRTA, at its present level, until July 1, 2011.

In early spring 2009, a Temporary Funding Intergovernmental Agreement (IGA) was reached between Richland County, the City of Columbia, and the CMRTA. Under the 2009 IGA, Richland County committed \$5,654,000.00 in local funding and the City of Columbia committed \$2,000,000.00 in local funding to support the operating and capital needs of the CMRTA during the period July 1, 2009 – June 30, 2011. In order to receive the above funding, several undertakings were required of the CMRTA. Those activities included: 1.) Increase the cost of bulk/agency discount passes from \$1.00 to a minimum of \$1.25, and ten-ride passes from \$10.00 to a minimum of \$12.00, no later than October 1, 2009; 2.) Continue to pursue financial participation from Lexington County and its municipalities in order to continue and/or expand regional service beyond September 30, 2010; 3.) Complete an independent study and analyses of the transit system, including, a Comprehensive Operations Analysis (COA) to study, at a minimum: ridership information, route and service location, fare structure, marketing, system operations, and operating costs, a Park-and-Ride Feasibility Study to identify and evaluate the feasibility of park-and-ride locations in various parts of the county, including:

Northeast Richland County, North Central Richland County (Blythewood, North Columbia), Northwest Richland County (Irmo, Ballentine, Chapin), and Southeast Richland County (Eastover, Hopkins), and an independent Management Performance Audit of the current system operator, Veolia Transportation. The 3 study/planning efforts had a completion deadline of February 1, 2010.

In addition, the CMRTA was required to undertake an organizational restructuring that included the following: amendments to the existing RTA Agreement and/or CMRTA Bylaws so as to limit voting membership on the CMRTA Board of Directors to jurisdictions that provide an appropriate level of funding based on the cost of providing service within those jurisdictions. Non-contributing jurisdictions may continue their membership in the CMRTA as non-voting members, and appointees from such jurisdictions may continue to serve on the CMRTA Board in an advisory capacity. The CMRTA agreed to secure the above amendments no later than September 30, 2009.

The CMRTA successfully completed all but one (1) of the requirements of the Temporary Funding Intergovernmental Agreement (IGA) within the required deadline schedule. The one (1) remaining item, the pursuit of financial participation from Lexington County and its municipalities in order to continue and/or expand regional service beyond September 30, 2010 is still underway and an Amendment to the Temporary Funding Intergovernmental Agreement (IGA) is currently being developed by legal counsel for the CMRTA, Lexington County, and Richland County. Recently (November 2010), Lexington County Council voted to provide funding to support the CMRTA services in Lexington County for the period October 1, 2010 – June 30, 2011.

In early summer, 2010, the Richland County Council voted to place a 1-cent sales tax referendum question on the ballot for the November 2010 General Election. The referendum, if successful, would provide long term funding for a comprehensive transportation system addressing local funding support needs for the CMRTA public transit system, improvements to the roadway and bridge network, and enhancements to the County's pedestrian and bicycling facilities.

Unfortunately, the 1-cent sales tax referendum failed, albeit, by a very small margin of approximately 2,200 votes, resulting in the CMRTA once again facing a local funding crisis.

Since the inception of the CMRTA, and transfer of the ownership and responsibility for the provision of public transit services, in 2002, the local elected officials, the business community and the public at large have been repeatedly made aware that a long-term dedicated source of funding is essential to sustaining the public transit system and any hope of future improvement and growth.

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. Review the process of the Development Review Team (Jackson-October 2011)

Reviews