

R2016-048

A RESOLUTION EXPRESSING THE INTENT OF THE ANDERSON COUNTY COUNCIL THAT THE RELEASE OF PETROLEUM PRODUCTS FROM THE PLANTATION PIPE LINE IN THE VICINITY OF LEWIS DRIVE BE FULLY AND COMPLETELY CLEANED UP BY PLANTATION PIPE LINE IN A TIMELY FASHION; AND OTHER MATTERS RELATED THERETO.

WHEREAS, the Plantation Pipe Line Company, Inc. (“Plantation Pipe Line”), a subsidiary of Kinder Morgan Energy Partners, L. P. (“Kinder Morgan”) operates a petroleum products pipe line that runs between Louisiana and the Washington, D.C. area and crosses Anderson County, South Carolina; and

WHEREAS, in 2014 the Plantation Pipe Line experienced a failure resulting in a release of petroleum products into the environment that was discovered on or about December 8, 2014, in the vicinity of Lewis Drive in Belton, South Carolina; and

WHEREAS, the release of petroleum products from the pipe line failure has been estimated at approximately 370,000 gallons; and

WHEREAS, the reported recovery of petroleum products from cleanup operations is 209,000 leaving approximately 160,000 gallons unaccounted for and presumably remaining in the environment as free product or breakdown products; and

WHEREAS, the Plantation Pipe Line release has significantly damaged and impacted private property and water courses in the vicinity of the spill, including Browns Creek and its tributaries and Cupboard Creek, including their associated wetlands; and

WHEREAS, Plantation Pipe Line engaged CH2M Hill Engineers, Inc to prepare a Corrective Action Plan (“CAP”) dated September 1, 2016, which was submitted to the South Carolina Department of Health and Environmental Control (“DHEC”); and

WHEREAS, DHEC issued a revised Public Notice dated November 3, 2016, which included a public comment period for submission of written comments to DHEC regarding the CAP by November 28, 2016; DHEC was requested to extend the public comment period beyond November 28, 2016, and has extended the public comment period through December 6, 2016.

NOW, THEREFORE, be it resolved by Anderson County Council in meeting duly assemble that:

1. The Anderson County Council hereby expresses its concern and intent to DHEC that Plantation Pipe Line, a subsidiary of Kinder Morgan, be required to fully and completely and in a timely fashion cleanup the release of petroleum products that occurred in 2014 in the vicinity of Lewis Drive area of Anderson County. A timely and complete cleanup is necessary to protect the environment of Anderson County and to restore the damaged property rights of property owners in the vicinity of the spill.

2. The Anderson County Council encourages DHEC to schedule and conduct a public meeting regarding the cleanup of the spill and to consider issues related to the Corrective Action Plan for this spill.

3. The Anderson County Council encourages DHEC to consider and implement a more user friendly method to access the Public Notices via the internet and transmit comments to DHEC, e.g. an email address for transmission of comments to DHEC. The Public notice attached hereto as Exhibit A for comment on the CAP for the Plantation Pipe Line release does not provide information necessary to transmit comments via email.

4. All orders and resolutions in conflict herewith are, to the extent of such conflict only, repealed and rescinded.

5. Should any part or portion of this resolution be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such finding shall not affect the remainder hereof, all of which is hereby deemed separable.

6. This resolution shall take effect and be in force immediately upon enactment.

RESOLVED this 6th day of December, 2016 in meeting duly assembled:

ATTEST:

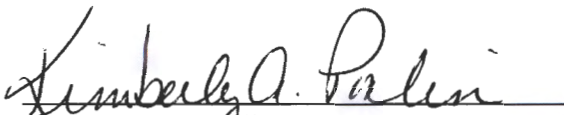


Rusty Burns
County Administrator


FOR ANDERSON COUNTY:



Tommy Dunn, Chairman
Anderson County Council



Kimberly A. Poulin
Clerk to Council



M. Cindy Wilson
District Seven



REVISED PUBLIC NOTICE

Notice #18693-1R
November 3, 2016

This notice is to inform the public that the South Carolina Department of Health and Environmental Control (Agency) is taking public comments on a Corrective Action Plan (CAP). This CAP addresses the cleanup of soil and groundwater contamination at the location listed below. The contamination was caused by petroleum pipeline release of approximately 369,600 gallons from the Kinder Morgan / Plantation Pipeline discovered December 8, 2014.

FACILITY: Plantation Pipeline Lewis Drive Release, 112 Lewis Dr., Belton SC

APPLICANT: Jerry Aycock, Plantation Pipeline, 1000 Windward Concourse, Suite 450, Alpharetta GA, 30005

SUMMARY OF CAP: Petroleum and petroleum byproducts naturally break down over time through chemical, physical, and biological processes. These processes are called natural attenuation. ch2m Hill Engineers Inc. has submitted a CAP proposing the use of biosparging to address soil and groundwater contamination and diffusion aerators to address surface water contamination.

PUBLIC COMMENT PERIOD DEADLINE: The deadline for submitting written comments is **five (5) PM November 28, 2016**. Any interested person(s) may submit written comments concerning the cleanup to the Project Manager listed below. Please bring this notice to the attention of persons whom you know will be interested in this matter. Where there is a significant degree of public interest, the Agency will hold a public meeting.

Bobbi Coleman, Hydrogeologist
SCDHEC Underground Storage Tank Management Division
2600 Bull Street
Columbia SC 29201
803-898-0628

CONTACT INFORMATION: For additional information, please call the Project Manager listed above. To view a copy of the CAP, contact the Freedom of Information Office at 803-898-3880.