Message

**From:** Dave Hargett [Ex. 6 Personal Privacy (PP)]
**Sent:** 10/3/2021 4:31:33 PM
**To:** Famble, Alayna [famble.alayna@epa.gov]
**Subject:** Update 210930 - PRELIMINARY & CONFIDENTIAL: Results - EPA PA/SI Report - LCS

Hi Alayna
Hope you are having a good weekend.....
When you catch up to this, let's talk at your earliest convenience. *I thought I had sent this to you on Wednesday after we spoke, but it evidently slipped through the cracks on my end.*
The "email to self" (below) attempts to concisely capture my understanding of the outcome of the EPA PA/SI process and report. If my interpretations of our conversations are not accurate, please re-direct me on those items.
I came away from our conversation on Wed PM thinking, if we can make sure the EPA and SCDHEC message is clear, we might actually use this to pull the stakeholders together again and have a chance to go after infrastructure money, and possibly even encourage other stakeholders, even PRPs into coming to the table.
As we discussed, context is everything. Even if EPA is taking no CERCLA action at this time, the messaging absolutely must be clear that the dam must be timely addressed.
The last thing we want any party to think is that *"EPA has said this site is no big deal, and nothing is urgent."*
Please take a look below, and give me a call anytime Mon/Tue (4-5 Oct). Since I'm on PT, a little heads up would be great.

We have to be vigilant or we are all going to have a lot of angst to deal with on the day after dam failure.

BTW-I successfully withdrew the FOIA request..... I will re-submit with more detail on Monday.
Many thanks for all your help.

Always hopeful.....

Dave

**Dave Hargett, Ph.D.**

Ex. 6 Personal Privacy (PP)

---------- Forwarded message ---------
From: **Dave Hargett** < Ex. 6 Personal Privacy (PP) >
Date: Wed, Sep 29, 2021 at 6:58 PM
Subject: PRELIMINARY & CONFIDENTIAL: Results - EPA PA/SI Report - LCS
To: Dave Hargett < Ex. 6 Personal Privacy (PP) >

*This is a PRELIMINARY and CONFIDENTIAL summary of results of the EPA PA/SI effort on the Lake Conestee Site (LCS), as reported to me verbally by agency staff, and as I best understand, without having seen the final report. EPA's report has been filed and I have submitted a FOIA request for all relevant documents, analysis, and communications.*

*Background:*
*Based on my meeting with the EPA-R4 Administrator and R4 colleagues, and including senior management from SCDHEC in Dec 2018, and a letter petition by Hargett in Jan 2019, EPA authorized a PA/SI process under its CERCLA authority to assess whether conditions at the LC Site warranted consideration for the National Priority List of CERCLA sites.*

*EPA staff and contractors conducted the Preliminary Assessment (PA) in early 2020 and confirmed the LC Site to be a "large, complex, and serious site that will require perpetual care." EPA then tasked SCDHEC with conducting a supplemental Site Investigation (SI) of the LCS, and to also assess potential sources of contamination upstream.*

*EPA will report:*

1. *EPA's PA/SI process confirmed concentrations of hazardous substances in the surficial sediments of the LCS have improved over the last 20 years as Reedy River sediments continue to naturally cap the deeper, more highly contaminated media.*
2. *EPA's technical protocols do not allow it to consider any data more than 5 years old. Hence, EPA did not consider the exhaustive data collected from 2000-2004, which was the basis at that time for SCDHEC's determination that the site was a "NPL-caliber" site. The original studies were the basis for development of the long-term care plan for the LCS, and for the Restrictive Covenant directing the perpetual management of the Site.*
3. *EPA has confirmed the current site remedy, as ratified under legal covenant between SCDHEC and the site owner in 2007, is working, thus far.*
4. *That remedy is comprised of: 1) containment of contaminated sediment through maintenance of the existing LC Dam (built in 1892); 2) minimizing disturbance of lake sediments; 3) natural capping of the lake sediments by accretion of 'cleaner' river sediments over time; and 4) protection of public safety through institutional and educational measures.*
5. *EPA has confirmed the "weak link" in the remedy is containment, which is completely dependent on the now 130-year old LC Dam.*
6. *EPA has also affirmed action must be taken to assure containment of the vast quantity of contaminated sediments residual in the former LC reservoir is effective, indefinitely, and that the existing dam, in Poor condition, and steadily disintegrating, must be rehabilitated or*

*replaced. [Note: A SCDHEC-funded engineering feasibility study published in 2019 identified the only viable solution for containment long-term, and satisfying consensus design criteria, would be a new dam, coupled to the old dam.]*

7. *EPA cannot use its CERCLA authority or CERCLA resources to preemptively address a situation that is not a threat presently.*
8. *Investigative results of the PA/SI confirmed extensive levels of the same contaminants of concern found at the LC Site, are present throughout the urban/industrial reaches of the Reedy River upstream of the Site. At most of the locations sampled, concentrations of hazardous substances are above screening standards, and at several locations higher than at the LC Site.*
9. *EPA cannot address other upstream sources of contamination within the context of the present PA/SI for the LC Site.*
10. *EPA's PA/SI process is now completed.*
11. *EPA has determined, based only on the data collected in 2020, that the LC Site does not warrant agency CERCLA action or NPL consideration at this time.*
12. *EPA will take No Further Action at this time, but may re-examine the LC Site situation when conditions change.*