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Date: Tue, 7 Aug 2018 18:37:46 +0000 (UTC) From: (b) (6) Privacy, (b) (7)(C) Enforcement Privacy Reply-To: (b) (6) Privacy, (b) (7)(C) Enforcement Privacy To: "titlevcompliant@epa.gov" <titlevcompliant@epa.gov> Message-ID: <901283066.3589692.1533667066225@mail.yahoo.com> Subject: Civil Rights Complaint

MIME-Version: 1.0 Content-Type: multipart/mixed; boundary="----=\_Part\_3589691\_29130982.1533667066225" References: <901283066.3589692.1533667066225.ref@mail.yahoo.com> X-Mailer: WebService/1.1.12206 YahooMailNeo Mozilla/5.0 (Windows NT 6.1; Trident/7.0; rv:11.0) like Gecko Content-Length: 44184

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August 14, 2018

ATTN: Title VI of the Civil Rights Acts (External), Complaints Division  
United States Environmental Protection Agency  
Washington, DC

**INFORMATION RELATING TO VIOLATION "REQUEST FOR ENVIRONMENTAL INVESTIGATION AND  
REMEDIAL ACTION" TO BE CONDUCTED AT THE BELOW SITE DESCRIPTION AND LOCATION**

**ONGOING VIOLATIONS**

Address of Subject:

**Site Description and Location**

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy  
Ravenel, SC 29470  
Charleston County, South Carolina  
Property Damage and Personal Injury:  
Parcel No (b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Address of Compliant:

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy Elko, SC 29826  
Barnwell County, South Carolina  
Phone (b) (6) Privacy, (b) (7)(C) Enforcement Privacy

**HISTORY FLOODING - March 20113**

WHO: Complainant, property owner faced with a crisis and in desperate need of help made the decision to call Center for Disease Control, Atlanta, GA and the local state and county Department of Health and Environmental Control per the instruction of (b) (6) Privacy, (b) (7)(C) Enforcement Privacy in March of 2013. Property owner reached by phone, the person by the name of Gregory E. Sams ("Sams") with the local North Charleston, County Health Department, for assistance in March 2013. That I did not personally know the person of Gregory E. Sams is now, and at all times relevant to this investigation.

March of 2013, on information and belief Sam's an agent and or employee of the State of South Carolina (SC) Department of Health and Environmental Control ("DHEC" or the "Agency"), Bureau of Water, State of SC Low Country Environmental Quality Control ("EQC"), Charleston McMillian Location, North Charleston, SC. On information and belief Sam's was at all times acting within the purpose and scope of such agency and employment. I have had the privilege of meeting Sam's in March of 2013, during the severe flooding that took place. Sam's, as employee of the agency, in his official capacity connected with property owner call on that same day in March of 2013. Sam's, in his official capacity requested to meet with property owner at the family's home, the old (b) (6) Privacy, (b) (7)(C) Enforcement Privacy Community Ravenel, Charleston County South Carolina, adjacent property owner to the site (#1), the former gas station known as the (b) (6) Privacy, (b) (7)(C) Enforcement Privacy

March of 2013, that upon "Sam's" arrival at (b) (6) Privacy, (b) (7)(C) Enforcement Privacy (the property), the month March, year of 2013, immediately presented, disclosed and released a copy of "Report of Sampling" (not attached to compliant), that had been received by the agency (SCDHEC) Underground Storage Tanks (USTs) Management Division on March 14, 2011. That the said "Report of Sampling" recorded by SCDHEC UST Management Division as UST Docket No. 20. In addition, the "Report of Sampling" was prepared and submitted by Midlands Environmental Consultants, Inc. (MECI) Lexington South Carolina, signed by



Courtney M. Sanders Staff Biologist and Brendon P. Kelly Project Scientist to the attention of Ms. Debra Thomas, Hydrogeologist with the Corrective Action Section, Assessment and Corrective Action Division UST Division, Bureau of Land and Waste Management state agency, DHEC Columbia South Carolina, said Report of Sampling dated March 9, 2011. Further, the subject documents of MECI representative Courtney M. Sanders of March 9, 2011 provided information to include:

Report of Groundwater Sampling; SCDHEC Site ID Number 01617, CA # 40382, MECI, Project Number 11-3253, also citing "Certified Site Rehab Contractor UCC-0009.

Sam's in his official capacity as agent of the SCDHEC Health Department, North Charleston South Carolina, pointing to and identifying for property owner, her drinking water well as Water Supply Well 4 (WSW 4), Analytical Results (page 9 of 28) to include "Report of laboratory Analysis dated 03/08/2011, time of action 03:44 p.m. – that the Analytical Results performed by Pace Analytical as part of UST Docket #20 received by SCDHEC UST Program March 14, 2011.

Sam's acknowledging properties WSW were identified as adjacent property water well which was a part of an assessment and corrective action. March of 2013, property owner became aware of her Water Supply Well (WSW 4) Analytical Results, (page 9 of 28) to include Report of laboratory Analysis dated 03/08/2011 and that her WSW was at all times connected to an "Assessment Activities, Field Exploration" – Screening of Ground Water (GW) samples collected from real property, (b) (6) Privacy, (b) (7)(C) Enforcement, Ravenel South Carolina. Also, Field Exploration included construction of Ground Water ("GW") Monitoring Wells Installation and Sampling of the Scott property; soil and groundwater impacted by petroleum contamination in the vicinity of the USTs. Furthermore, the state agent (Sam's) expressed concerns about the "Report of Laboratory Analysis Analytical Results, Sample: WSW 4 evidencing the presence of chemical constituents. That Sam's is delivering and disclosing the Report of Lab Analysis for property owner advising and stating: "This is your drinking water supply well (WSW 4)", Report of Groundwater Sampling; SCDHEC Site ID Number 01617, CA # 40382, MECI, Project Number 11-3253, also citing "Certified Site Rehab Contractor UCC-0009. Drinking water well, Water Supply Well 4 (WSW 4), Analytical Results ( page 9 of 28) to include "Report of laboratory Analysis dated 03/08/2011, time of action 03:44 p.m. – that the Analytical Results performed by Pace Analytical as part of UST Docket #20 received by SCDHEC UST Program March 14, 2011". UNBEKNOWNST KNOWN TO PROPERTY OWNER

March of 2013, Sam's as state agent did not communicate to property-owner any warning regarding WSW contamination. The Report of Sampling establishes that the WSW (property) at all relevant times connected to an environmental assessment and remediation, the site. Property-owner was not at this time warned that her well was contaminated, evidencing the presence of chemicals of concern, also that her family drinking water was not safe to drink, during the environmental investigation and remediation project. Property owner contends "Sam's" knew the water was poisoned and that property owner never had substantive protection, yet it took no action in March of 2013, unjustifiable, humans are now exposed to significant risk. Property owner never received immediate and urgent warnings to stop drinking the water and was not provided with alternative water supplies in March of 2013. Sam never assured property owner that her water was safe in March of 2013, no warning regarding the risks to property and human health; exposure to the toxic chemicals, UNBEKNOWNST KNOWN TO PROPERTY OWNER.

"Sam's" were aware before March of 2013 of the threat to drinking water, exposures to toxic chemicals of concern with harmful effects detected on (b) (6) Privacy, (b) (7)(C) Enforcement in the immediate vicinity, as a result of discharging petroleum at the site former gas station.



WHO:

That person or persons continue to unreasonably interfere with the use and enjoyment of the property. As a result of the wrongful conditions found and at other locations (Town of Ravenel) in the vicinity resulting in the exposure to contaminated water, such environmental violations at the site on [REDACTED] Town of Hollywood on which the unauthorized discharge occurred. Sam's had reason to know that petroleum products had been, and were being used on the adjacent property (former gas station) and the need to remediate the ongoing unauthorized discharge onto the adjacent property (neighboring), as a result, the type of fresh injury from day to day, due to inadequate monitoring of leak detection progress and regulatory delay.

WHAT

Real property impacted by contamination, high concentration exposure having such negative effects is supported by substantial evidence. That the Report of Sampling reveals a release of petroleum product from a parcel of property, located in the Town of Hollywood, South Carolina. That the property had been used as a gas station that contained two (2) USTs abandoned, stored, and leaky, that innocent parties who are not responsible for discharging pollution into the environment, who merely own neighboring properties that become contaminated due to the acts or omissions of others.

A release of petroleum product from the USTs seeped into the soil and groundwater on [REDACTED] in Charleston County, as a result of the abandoned, stored, leaky and non-compliance USTs.

Property owners did not interfere with those actions, but rather than take steps to warn, about the actual release of pollutants, and protect humans, officials did just the opposite, subsequently officials continued to monitor the site through ground water sampling and failing to disclose evidence that there had been significant findings of contaminants.

Personal property has been contaminated by Brownfield; person or persons who do not accept responsibility for cleanup of the contaminated adjacent property, instead sending people (insurance company and others) to monitor property without prior approval.

From 2013 to present, person or persons failed to disclose all of the environmental actions taken at neighboring properties and continuing obligations for which person or persons are responsible. That person or persons refusing to issue information about flooded and abandoned ground water (GW) monitor wells that had been installed on adjacent property in the vicinity. Further, as it relates to adjacent property Report of Sampling revealing contamination discharge of toxic chemicals of concern which had impacted the property is present from an off-site source, not owned by adjacent property owner. That property owner(s) never received any actual notice of a spill or release, discharges and the need to remediate the contamination of land. That person or persons denied the opportunity to be heard to comment or object to the site selection; site assessment decision had already been made before the adjacent land owner became aware of the contamination. Facing an agency site selection decision (made in advance before 2009) which threatened property and liberty interests, property owners were entitled to notice, an opportunity to be heard by person or persons before making its site selection, the already made decision, initiated testing and GW sampling of neighboring properties that become contaminated due to acts or omissions of person or persons, as a result, innocent owners of adjacent lands are left to seek recourse.



(1) a former gas station facility has a spill of; (2) extremely hazardous substance, petroleum contaminate plume consistent with gasoline discharge on; (3) a parcel of property belonging to (b) (6) Privacy, (b) (7)(C) Enforcement Privacy Tax Map Number: (b) (6) Privacy, (b) (7)(C) Enforcement address location (b) (6) Privacy, (b) (7)(C) Enforcement Ravenel, South Carolina 29470; (3) that in March of 2013, in receipt of Report of Sampling that documented testing of adjacent land owner WSW, ground-water sampling directed during the exposure period to obtain data.

April 2013, information was not made available to landowner(s), residents that live within a close proximity (next door) to the (b) (6) Privacy, (b) (7)(C) site, has at no time given their consent to the pollution of the groundwater of their property, and such pollution is an unlawful.

Landowner(s) who are not at fault, by her own research states that following facts: (1) Report of Sampling received by SCDHEC in the year 2011, reveals WSW; (2) Remediation of petroleum contaminated site, unauthorized discharges and the effect of the unauthorized release into the environment threatens soil and ground water resources has been determined to have occurred at a former (old) gas station facility; (3);the actual release of toxic chemicals(**Benzene, Toluene, and Xylene (BTEX) and other chemicals**; projects at levels posing an unacceptable risk to human health and environment. Soil and groundwater contaminate plume; (4) Sam's as an agent and or employee of the State of South Carolina (SC) Department of Health and Environmental Control ("DHEC" or the "Agency"), Bureau of Water, State of SC Low Country Environmental Quality Control ("EQC"), Charleston McMillian Location, North Charleston SC, delivering and disclosing the Report of Lab Analysis for property owner advising and stating: "This is your drinking water supply well (WSW 4)", Report of Groundwater Sampling; SCDHEC Site ID Number 01617, CA # 40382, MECI, Project Number 11-3253, also citing "Certified Site Rehab Contractor UCC-0009. The (b) (6) Privacy, (b) (7)(C) drinking water well, Water Supply Well 4 (WSW 4), Analytical Results (page 9 of 28) to include "Report of laboratory Analysis dated 03/08/2011, time of action 03:44 p.m. – that the Analytical Results performed by Pace Analytical as part of UST Docket #20 received by SCDHEC UST Program March 14, 2011; (5) Environmental conditions, unauthorized release into the environment threatens soil and ground water resources has been determined to have occurred at a former (old) gas station facility in the Town of Hollywood, South Carolina (b) (6) Privacy, (b) (7)(C) site and environmental conditions at (b) (6) Privacy, (b) (7)(C) Enforcement Privacy Town of Ravenel in Charleston County; (6) as a result of unregulated USTs, not in use, abandoned, stored and leaky, person or persons failed at its authority to abate, control and prevent pollution –Compliant research and personal knowledge (records) reflect a history violations.

#### Action to secure justice:

That complainant has asked for concrete information since April 2013, that property owner(s) have gotten the runaround for months or more. Information concealed and suppressed concerning a parcel of property (Tax Map Number: (b) (6) Privacy, (b) (7)(C) Enforcement) located in the town of Ravenel Charleston County, address (b) (6) Privacy, (b) (7)(C) Enforcement Privacy also, information concealed as to the description of adjacent land of property owner, use and including "exposure analysis" Tier I Assessment report. Information that will not produce, cannot produce, information that is trade secret information, personal information where public disclosure would be an unreasonable invasion of privacy, matters specifically exempt or protected by law. Property owner contends material facts arising from an environmental non-compliance, which unfairly caused property-owners impacted by the unlawful discharge suffered ("A Loss"). The environmental Report of Sampling reveals that Sam's and others had full and complete control over the activities conducted on the adjacent property when environmental assessment, investigation commenced and conducted. (b) (6) Privacy, (b) (7)(C) Enforcement Privacy Town of Ravenel in Charleston County)



Sam's and others failing to notify property owners of **petroleum contamination**, the dangerous propensities of chemical of concerns discovered and documented in their Report of Sampling.

Acts of concealing information, instead of disclosing contamination timely and others are providing misleading statements about homeowner's property and MWs.

As a result, the unlawful, unauthorized discharge caused an environmental harm and public health harm to the community, where property owners was unaware of the abandoned USTs and the need to remediate the ongoing discharge at the facility and the immediate area. As a result, the petroleum contamination found in the immediate area, property-owners cannot be liable as discharges because they do not own the USTs. As a result, the knowledge that my loved ones have consumed hazardous chemicals, thereby causing their injury and **death**, all residents has suffered and will continue to suffer great emotional distress and depression.

As a result, the unauthorized discharge and unforeseen events which property owner demands the recovery of a right or the redress of a wrong. SCDHEC records reveals that all Chemicals of Concern ("CoC") are below detection levels and the **wells were not located** or **were inaccessible** during subsequent **sampling events** conducted in 2010 and 2011.

**Complainant challenges** - SCDHEC statement of "Should you sell the property, the Division requests that the buyer coordinate with the Division to allow for continued access to conduct necessary site rehabilitation activities". Compliant wants to know "what else is being concealed?" (Exhibit 2)

WHO

**Midlands Environmental Consultants, Inc. (MECI)**

The property identified as (b) (6) Privacy, (b) (7)(C) Enforcement Privacy Facility ("the facility") is located at (b) (6) Privacy, (b) (7)(C) Enforcement Privacy Hollywood Charleston County, South Carolina. The facility previously maintained one 1,000 gallon gasoline UST and one 550 gallon gasoline UST. This Underground Storage Tank System (USTS) were operated and used to store and supply gasoline. These USTs were abandoned by removal on **June of 1993**;

Exhibit 1 - Complaint challenges MECI and not SCDHEC , False – Right of Entry letter submitted January 23, 2009, after the fact, years later and the family consented to giving access February 23, 2009.(Exhibit 2)

Exhibit 3 - **SCDHEC** - RSU letter reflects that the USTs were abandoned by removal on **June 1, 2012**. (Compliant challenges the following date, because MECI Project Information reflects "these USTs were abandoned by removal ground in June of 1993.)

Complaint challenges EPA, MECI and SCDHEC concealment of material facts: SCDHEC records reflects "confirmed contamination the year 2008.

WHO:

Records reflect:

5

1. The SCDHEC (hereinafter the "Agency" or "DHEC") receiving a report of an environmental harm "a release" on (b) (6) Privacy, (b) (7)(C) Enforcement in 2008. The small African-American population in Charleston County, in the immediate vicinity of the location that the SCDHEC DHEC responding to a release at a former gas station in 2008.
2. During the years the former gas station facility (known as (b) (6) Privacy, (b) (7)(C) in Charleston County South Carolina. The residential "Site" Underground Storage Tank System operation was used for storage, use, and dispensing of regulated substances with a SCDHEC Site Identification Number 01617, address of (b) (6) Privacy, (b) (7)(C) Enforcement in Charleston County.
3. That the two gas tanks were unregulated petroleum, station area until March 2008 (or sooner), when the Agency responded to the release incident, per Regulations governing the permitting, release detection, prevention and correction applicable to all owners-operators of Underground Storage Tanks (hereinafter "USTs") as maybe necessary to protect human health and the environment. During the years prior to 2008 or sooner, the property has been operated as a convenience store and gas station.
4. The year 1998, the Agency, UST Division, Compliance Section issued a Notice of Violation UST's exceeding 12 MTh TOU Status Site -> B-10-NO-1617 (b) (6) Privacy, (b) (7)(C) Enforcement The UST system at this facility has been temporarily closed for more than 12 months. During the years the USTs (leaking) was inactive, abandoned and unregulated, when the Agency accepted the power project (intervening) to an environmental harm, imminent danger action. The above referenced violation request action TO "abandon the USTs and perform an environmental assessment by July 29, 1998.
5. In 1993, the Agency recorded the "USTs abandoned"; and
6. In 1996, the Agency recorded "site assessment has not been performed at that time". Form 01617-03 Document, Docket Number #2R, recorded "Whether tanks previously removed from the ground?" - The following response recorded "No". The following information received in the UST Division December 15, 2007; and
7. January 2008, the Agency, Regulatory Compliance Division, UST Program, Bureau of Land and Waste Management contracted for the construction of monitoring wells (hereinafter MWs) at the site for the intended purpose of monitoring ground-water quality and/or water level(s) at the referenced facility, pursuant to the provisions of Section 44-55-40 of the 1976 South Carolina Code of Laws and the Department of Health and Environmental Control Regulations R.61-71.
8. June 2008, the Agency, Assessment Section, Div. of Assessment and Corrective Action, Bureau of Land and Waste Management filed its approval for the installation of three groundwater MWs. The MWs are to be installed in the approved locations, that all MWs are to be installed following the South Carolina Well Standards, R.61-71, and the applicable guidance documents, pursuant to the provisions of Section 44-55-40 of the 1976 South Carolina Code of Laws and the Department of Health and Environmental Control Regulations R.61-71 of the South Carolina Well Standards and Regulations, Dated April 26, 2002.

WHAT:

SOIL AND GROUNDWATER CONTAMINATION



Exposure to the toxic chemicals Benzene, Toluene, Xylene (BTEX), MTBE, Naphthalene, DCA, EDB and other chemicals of concerns (Cocas); the [REDACTED] had been harmed, by flooding as a result of a new extensive land development and subdivisions construction (permits issued, Complainant challenges new permits) causes flooding during any ordinary heavy rainfall, creating a dangerous condition in an area already plagued by exposure to toxic chemicals Benzene, Toluene, Xylene (BTEX), MTBE, Naphthalene, DCA, EDB and other chemicals of concerns (CoCs). (Complainant challenges no information on TCE, SCDHEC records reflect TCE delivered at the former gas station)

Compliant contends harmed as a result of, decisions already made before issuing RSU letter, assessment and remediation actions by the City officials of Charleston and County of Charleston to approve, and permit application for construction and maintenance new land development, public service utility line, and subdivision in a predominantly African-American community residents affected by the release. Also, by SCDHEC to allow permitting permits for construction and maintenance to allow the new land development construction.

Any records on the consideration and adverse effects of the entire site, concerns about water that is not soaking in the ground, stagnant water that is considered a very serious environmental hazard, there is no way for the flood water to go. Also, I am concern about the ongoing development in the area, the lengthy process that is contributing to the problems(s) in the area. Installation of a new pipe network, (water main and sewer lines) in the area and poor runoff, which is causing the water to flow off the highway in ditch(s) and on property of Complainant.

#### NEWLY DISCOVERED EVIDENCE – REAL PROPERTY IMPACTED

YEAR 2016: Compliant real property evaluation, the imminent, substantial, and potential risks to human health posed by improperly constructed, poorly maintained, damaged, abandoned MWs, , and environmental dumping grounds: Exhibit 4 AND 5

Compliant Request for answers and assistant (Exhibit 6 AND 7)

#### CONCLUSION:

Plaintiff alleges - that the new land development, white-own developer, builder, is responsible for the ongoing design and construction of new "subdivision" in a predominantly African-American, old community already traumatized and feeling they are all alone.

Plaintiff injured as a result of the building codes (or other construction requirements), and protected rights (race and disability) violations committed by white-own developer.

FACT: The record before Plaintiff are issues depicts depict the workings of Federal, State and local governmental agencies working within their own agenda, both separately and together, independent, yet cooperatively.

From 2008 date, officials alleges contamination, Plaintiff alleges that governmental officials discriminated against her by failing to inform her that her (family) private water well and other areas in the vicinity, soil and groundwater was contaminated. Local state official's failure to act damaged her



property and that officials behave in an unreasonable and unfair manner deceive and conceal information from Plaintiff. That official's conduct was a significant cause of the injury?

This action is further brought to redress the harm caused by intentional racial discrimination in the decision by officials, City of Charleston and County of Charleston to approve, and permit application for construction and maintenance of new land development, public service utility line, and subdivision to white-own developer in a predominantly African-American community residents affected by the release.

CONCLUSION:

Plaintiff is claiming injuries after she and her family members were exposed to dangerous toxins (Benzene, Toluene, Xylene (BTEX), MTBE, Naphthalene, DCA, EDB compounds and other chemicals), possibly TCE, while living at her resident in Charleston County, South Carolina.

As a result of local state agencies agents' unlawful acts, Plaintiff has suffered, and will suffer in the future, property damage, personal injury, and death.

DENIED:

"It's tragic that our government has denied protection where it had control over the USTs at the time of the release. As a result of its business practices, officials has knowingly, intentionally, wantonly, recklessly, willfully, and maliciously abandoned the USTs and stored Benzene, Toluene, Xylene (BTEX), MTBE, Naphthalene, DCA, EDB compounds and other chemicals on the site in such a manner that it discharged into groundwater of the neighboring property (Plaintiff property) and underground water sources.

Officials denied protection, also, failed to take the precautions necessary to prevent such contamination of the groundwater and water supply of surrounding property. Officials had a duty to monitor, protect and warn of danger (to notify timely) of the release of toxic chemicals. Plaintiff alleged officials were in complete disregard for Plaintiff's health and well-being.

Officials denied the benefits of and to be subjected to discrimination under any program or activity receiving Federal Financial Assistance. Plaintiff alleges, failure to inform and failure to provide them with an alternate water supply, when such warnings and protective measures were immediately undertaken by the Federal, State and local state agencies for white-own developer, (new land development), when such arrangements were made for white-own development immediately – constitutes an act of intentional race discrimination. Unbeknownst to Plaintiff, she continued to ingest and be exposed to well containing toxic chemicals.

DENIED:

The right to the equal protection of the laws– in failing to notify of the risk of harm from toxic chemicals exposure and in failing to provide an alternate water source, when such warnings and protective measures were undertaken to protect new land development, white own developer construction project.

Denied Protection under the Older American's Act Title III B (Aging, disability, transportation and to remain in her home.

I. Complainant request for assistance - SCDHEC

Records on activities reported

What happen after MECI sampling activities reported wells MW-10R and MW-11 were not located? MECI site activity summary report, under MW-10R in the comments section states not located; well destroyed and under MW-11 in the comments section, states not located; flooded; well in swampy area - based on that information/record, when did MECI cease sampling the wells? If, I am right wells MW-10R and MW-11 location is on the property of (b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Any records on the consideration and adverse effects of the entire site, concerns about water that is not soaking in the ground, stagnant water that is considered a very serious environmental hazard remains No way for the water to go.

Also, I am concern about the ongoing development in the area, the lengthy process that is contributing to the problems(s) in the area. Installation of a new pipe network (water main and sewer lines) in the area and poor runoff, which is causing the water to flow off the highway in ditch(s) and on property(s) of (b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Information requested,

The person(s) you (DHEC) contacted before coming on my property (dates and times), wells installed, one destroyed and one could not be located because of flood.

Request for any additional information on noted concerns of a "leak" and "contamination in your reports.

Information on all

Companies or contractor who had access to the property during assessments, because of the vehicle (travel paths), observed and the disturbances of the ground and soil to the property that has/had is caused additional flooding in the immediate areas.

I need to be informed of what is going on with my property (what has been installed on property, any permanent fixtures) and the areas around me.

Information on:

1. Where is the Vacuum pump located in your report and on whose property?
2. Did the site plan include aeration?
3. in plain language, is the soil contaminated

Urgent request for additional information on the area next door (the site). The true information is not being provided by DHEC, County and State offices in reference to the ongoing (historical) assessment. I am asking that they refrain from providing misleading information. I am unable to cope with the stress due to the inconsiderate actions from government officials. I am concern and understand the recovery effort, but what I don't understand the focus right now is not the community and not providing the information I am in need of, so I can return to my home without worries.



Alleged violation submitted by (b) (6) Privacy, (b) (7)(C) E to SCDHEC in the year 2014, 2015, 2016, 2017, and March 2018, Complainant letter to SCDHEC seeking information on real property of complainant (b) (6) Privacy, (b) (7)(C) Enforcement P  
(b) (6) Privacy Charleston County Charleston, SC.

As a result, per Michael S. Traynham, Office of General Counsel, providing information "on the site, (b) (6) Privacy, (b) (7)(C) and did not address actions as it relates to real and personal property, (b) (6) Privacy, (b) (7)(C) Enforcement Privacy in Charleston County, March 2018. Exhibit 8

## II. Complainant request for EPA Action -

(b) (6) Privacy, (b) (7)(C) E did in fact address her concerns to other federal, state or local agencies, such as the state environmental agency (SCDHEC), health agency and local (city and county) offices.

(b) (6) Privacy, (b) (7)(C) E and others had no actual notice (knowledge) of the unauthorized discharge(s) and the reports when the reports were originally released by SCDHEC and Midlands Environmental Consultants, Inc. (MECI) In relation to the Unauthorized Discharges, given the 12 month or more timeframe between the request for records (information) and request for assistance to EPA and others (b) (6) Privacy, (b) (7)(C) E believed she was disclosing (Whistleblower) an **environmental violation in South Carolina (Charleston County)**, conditions that does not comply with an environmental law or regulation, improprieties regarding - (1) Flooding, as a result of new land development construction changing natural runoff paths (2) The site rehabilitation assessment summary results, further investigations necessary in the immediate vicinity (surrounding areas affected by the unauthorized release) of the former gasoline facility (3) taking steps (as soon as possible) necessary to protect human health and the environment. The Effect of the unauthorized release - As a result, (b) (6) Privacy, (b) (7)(C) E and others suffered damages as a result of being exposed to hazardous levels of BTEX and TCE and other chemicals of concern through ingestion, absorption and inhalation.

The Effect of the unauthorized release - As a result, (b) (6) Privacy, (b) (7)(C) E and others suffered damages (real and personal property) as a result of the Unauthorized Discharges.

Alleged violation submitted by (b) (6) Privacy, (b) (7)(C) E to EPA in 2016, 2017 and 2018.

Alleged violation submitted for action and assistance to EPA, requesting officials to take the necessary steps to protect human health and the environment. Complainant request to EPA, make it your priority to make a Visible Difference in my community and communities across the country to enforce the environmental laws passed by Congress and the state legislatures.

Allegations and evidence that contamination of the 4 acreage diminished complainant property values and caused them to lose the full use and enjoyment of their properties

Review of conditions which necessitated response action, as a result of acts of SCDHEC failed to take adequate steps to prevent the escape of contaminants from the site due to non-compliance, due to leak detection, and failed to warn residents in the immediate area of this environmental problem.

At TMP (b) (6) Privacy, (b) (7)(C) Enforcement P, Monitoring wells Department approval prior to drilling, construction, maintained, operated, and /or abandoned to ensure that underground sources of drinking water are not contaminated.

Alleged violations – of a requirement under Federal and State regulations, noncompliance with the permit, regulation, standard and or requirement by officials

Alleged noted violation(s) – failure to correct, denied by SCDHEC and EPA within the specified time period.

(b) (6) Privacy, (b) (7)(C) [redacted] alleges discriminatory conduct by SCDHEC.

(b) (6) Privacy, (b) (7)(C) [redacted] request for assistance and cooperation in an effort to settle these allegations made as it relates to the abandoned environmental real estate. April 2018

I am requesting the assistance of your offices to conduct or review into the recent allegations made to the agencies including (b) (6) Privacy, (b) (7)(C) [redacted] allegations of crime, death of relatives.

For additional information, please e-mail or call me at the address and phone number listed above.

---

(b) (6) Privacy, (b) (7)(C) Enforcement [redacted]



2009

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Rec'd by e-mail  
16 April 2013  
for info

# Midlands Environmental Consultants, Inc.



January 23, 2009

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Ravenel, SC 29470

**Subject: Right-of-Entry**  
(b) (6) Privacy, (b) (7)(C) Enforcement Privacy  
Ravenel, South Carolina  
SCDHEC Site ID# 01617  
MECI Project# 08-1991

Dated 2-22  
No mention of Contamination

Dear Sir or Madam,

SCDHEC has requested Midlands Environmental Consultants, Inc. (Midlands Environmental) perform assessment related activities for a release of petroleum product at (b) (6) Privacy, (b) (7)(C) Enforcement Privacy located at (b) (6) Privacy, (b) (7)(C) Enforcement Privacy Ravenel, South Carolina. Our planned field activities include installation of groundwater monitoring wells on property surrounding the former gas station. Midlands Environmental is seeking permission to access your property located at (b) (6) Privacy, (b) (7)(C) Enforcement Privacy (Charleston County tax map number (b) (6) Privacy, (b) (7)(C) Enforcement Privacy) to obtain groundwater samples. Samples from your property will be obtained by the methods described below. The location of the subject site is depicted on Figure 1.

Groundwater monitoring wells will be constructed. The wells will be finished with flush mounted covers in a 2' by 2' concrete pad. The edge of the concrete pad will be saw-cut into existing pavement as needed. All measures to minimize any inconvenience caused by drilling activities will be undertaken.

The wells consist of 2-inch diameter PVC pipe (Schedule 40 with flush-threaded joints) inserted into an 8-inch or 10-inch diameter augered borehole (Figure 2). The bottom 10 or 15-foot section of each monitoring well is a manufactured well screen with 0.020-inch slots. The well screen will be set to intercept the saturated/unsaturated zone interface (static water) encountered at the time of drilling. Washed sand backfill will be placed around the outside of the pipe to a minimum of one foot above the top of the well screen. A bentonite seal (minimum 2-foot thick) will be installed on top of the sand backfill to seal the monitoring wells at the desired level. The boreholes will then be grouted with a cement/bentonite grout to the ground surface. A steel protective flush-mounted cover and a lockable cap will then be placed over each monitoring well. All well construction will be conducted by a South Carolina Certified Well Driller, and will be approved and monitored by SCDHEC.

Before any work is initiated, MECI personnel will coordinate with the property owner at each phase of the above referenced assessment. Please sign and return the attached Permission Form or contact MECI at

Post Office Box 854, Lexington SC 29071 • 235-B Dooley Road, Lexington, SC 29073  
Telephone: (803) 808-2043 • Fax: (803) 808-2048

Exhibit 1

*Right-of-Entry Permission*  
*Aucress, Ravenel, SC*

January 23, 2009

(803) 808-2043 about the right of entry to your property. Collect telephone calls will be accepted to minimize any inconvenience.

Sincerely,  
Midlands Environmental Consultants, Inc.

Clark S. Baer  
Staff Biologist

William C. McClary, P.G.  
Senior Geologist



Referred +  
confirm w/  
my sister -

A Problem With the date  
my sister signed this Form on 2/2009  
and the date of MECI  
letter a Right to Entry LTR  
dated Jan 23, 2009

Copy rec'd by  
email 16 April 13  
for info



# Midlands Environmental Consultants, Inc.

## PERMISSION TO ENTER PROPERTY

I, **(b) (6) Privacy, (b) (7)(C) Enforcement Privacy** hereby certify that I am the owner of record or otherwise have the legal right to grant entry and access to the property for the purpose described below ("Owner") and do hereby grant Midlands Environmental Consultants, Inc. (MECI) and its agents, employees and subcontractors, and assigns the right to enter upon the property located at **(b) (6) Privacy, (b) (7)(C) Enforcement Privacy** Charleston County Tax Map number **(b) (6) Privacy, (b) (7)(C) Enforcement Privacy** for the purpose of performing an environmental assessment, as requested by SCDHEC which will include the following categories of work:

- > Installation of groundwater monitoring well(s);
- > Measuring depth to groundwater, about once every three months;
- > Collection of groundwater samples, about once every three months;
- > Maintenance of the monitoring well(s).

Access to the monitoring well will be needed for a time period not likely to exceed three to five years after well installation has been completed. The property owner will be notified at least 48 hours in advance of any planned activities on the property. At any time the property owner may contact MECI if there are any questions or concerns about work performed on the property.

The Permission to Enter Property is effective upon execution of this document.

This Permission to Enter Property is granted with consideration of MECI making reasonable restoration to the property resulting from MECI activities on the property.

Consented to giving access:

**(b) (6) Privacy, (b) (7)(C) Enforcement Privacy** 02/23/09  
Date

**(b) (6) Privacy, (b) (7)(C) Enforcement Privacy**  
Property Owner's Phone Number

**(b) (6) Privacy, (b) (7)(C) Enforcement Privacy** 02/23/09  
Date

Access Denied:

Property Owners Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_ Date \_\_\_\_\_

MECI Representative \_\_\_\_\_

Exhibit 2



Catherine B. Templeton, Director

Promoting and protecting the health of the public and the environment

*Rec'd 4-9-2013*  
*H.S.*

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

APR 08 2013

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

RAVENEL SC 29470

Re: Release status update  
(b) (6) Privacy, (b) (7)(C) Enforcement Privacy Ravenel  
UST Permit #01617  
Release reported March 12, 2008  
Charleston County

*Telephone*

Dear (b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Per your request, the Underground Storage Tank (UST) Management Division is providing you with an update on environmental conditions and liability associated with the referenced facility and your property located at (b) (6) Privacy, (b) (7)(C) Enforcement Privacy (tax map (b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Division records indicate that two USTs were operated at the (b) (6) Privacy, (b) (7)(C) Enforcement Privacy facility to supply gasoline. The tank systems were abandoned by removal on June 1, 2012.

On March 12, 2008, the Division received a report that documented a release of petroleum products at the (b) (6) Privacy, (b) (7)(C) Enforcement Privacy facility. In response, the Division assessed the release on behalf of Publix Oil, the owner/operator of record. Site assessment conducted from 2008 to 2009 confirmed and outlined petroleum contamination in soil and groundwater at the facility. Since 2009, the Division has directing aggressive fluid and vapor recovery and chemical injection in the source area of the release to reduce concentrations of petroleum chemicals of concern. Ground-water sampling will be directed in the near future to obtain current data.

Division records show that two monitoring wells have been installed on your property: MW-10(R) and MW-11 (see enclosed map). The wells were last sampled on April 22, 2009. The sampling data are shown below in parts per billion:

Petroleum Constituent	MW-10	MW-11	Action Level
Benzene	<5	<5	5
Toluene	<5	<5	1,000
Ethylbenzene	<5	<5	700
Xylenes	<10	<10	10,000
MTBE	<5	<5	40
Napthalene	<5	<5	25

*4/16/13*



Petroleum Constituent	MW-10	MW-11	Action Level
DCA	<5	<5	0.05
EDB	<0.02	<0.02	0.05

Sampling results show that all CoC are below detection levels. The wells were not located or were inaccessible during subsequent sampling events conducted in 2010 and 2011. The Division did not direct the wells to be sampled in 2013.

The referenced release is qualified to receive funding under the conditions of the SUPERB Act. This means that reasonable costs up to \$1,000,000.00 can be paid by the SUPERB account for site rehabilitation associated with the release. Should remedial costs exceed \$1,000,000.00, Publix Oil, pursuant to state and federal laws, retains responsibility for any additional site rehabilitation and costs associated with the release.

Please note that the Division is not aware of any laws or regulations that prohibit the use or development of properties adjacent to the location of a petroleum release. Should you sell the property, the Division requests that the buyer coordinate with the Division to allow for continued access to conduct necessary site rehabilitation activities.

If you have any questions, feel free to contact me by telephone at (803) 896-6398, by fax at (803) 896-6245, or by e-mail at padgettj@dhcc.sc.gov.

Sincerely,



Joel P. Padgett, P.G., Geologist/Hydrologist  
 Corrective Action Section  
 Underground Storage Tank Management Division  
 Bureau of Land and Waste Management

JPP/jpp  
 01617.2

enc: Site map  
 cc: Technical file (w/enc)

**From:** John Strain <johnstrain@sclegal.org>

**Sent:** Thursday, October 27, 2016 1:13 PM

**To:** Traynham, Michael

**Subject:** In re to [REDACTED]

Michael:

Sorry I didn't reach you earlier this week over the phone. You were in a meeting when I tried reaching you on Monday.

I received a copy of a FOIA request [REDACTED] had sent to your office. I've spoken to her about it since receiving it. I also notified [REDACTED] that a FOIA request does not require an agency to create new records or answer questions an individual would like. However, [REDACTED] would like to know what the status is for the removal of the monitoring wells that were placed on her property. It is my understanding that DHEC employees did find one well but the other could not be located [REDACTED] had offered to clear some an area that was inaccessible but may have been where the 2<sup>nd</sup> MW was placed. I was told that DHEC would have to come back to remove the first well and see if the second could be located.

When we last spoke, you notified me that [REDACTED] had contacted the EPA complaining that someone had thrown a well in her ditch. Due to complaints such as that, it was difficult to find employees who would be able to assist [REDACTED] I spoke with [REDACTED] about this after you informed me. It is my understanding she didn't mean to accuse DHEC of having done this but was trying to say she was told by the DHEC employee that had come for the search that someone, unknown to DHEC, must have done this.

At this point, I just wanted to follow up and confirm the status of the search. Was only one well found that hasn't been removed yet and is there going to be a follow up? If you are unable to assist [REDACTED] any further, a written letter summarizing what happened at the previous visit and why there is nothing else to be done would be greatly appreciated.

Thanks again for your time and understanding.

EXHIBIT 4



**From:** Padgett, Joel P.  
**Sent:** Thursday, October 27, 2016 1:47 PM  
**To:** Monts, Lee  
**Subject:** Re: In re to [REDACTED]

Ryan and I found an open borehole at the former location of MW-10. No well debris (i.e. casing, pad, vault) was found. We found no trace of MW-11 despite an exhaustive grid search of the approximate location. During our visit there, [REDACTED] stated to us that someone had thrown a well into her ditch. We assured her that we had no knowledge of this nor would DHEC personnel or DHEC contractors dispose of a well in this manner. We marked the location of the borehole for future action. We would require permission from [REDACTED] for us (DHEC) and our well abandonment contractor to access the property to abandon the borehole.

Joel P. Padgett, P.G.  
Geologist/Hydrologist III  
UST Management Division  
Bureau of Land and Waste Management  
**S.C. Dept. of Health & Environmental Control**  
Office: (830) 898-0655  
Fax: (803) 898-0673  
Email: padgettjp@dhec.sc.gov  
Connect: [www.scdhec.gov](http://www.scdhec.gov) [Facebook](#) [Twitter](#)

EXHIBIT 5

July 01, 2014 (Request)

To: Mr. Jeff Coleman  
(or) Who it May Concern  
Midlands Environmental Consultants, Inc. (MECI)  
Lexington, SC 29073

Dear Mr. Coleman;

The request relates to your (MECI) "Report of Assessment Activities" in Ravenel, S. C.

MECI project # 08-1991, dated June 2, 2009, SCDHEC Site ID # 01617, CA # 34084. Please provide me with a copy of your "Report of Qualifications, activities and evaluative approaches, based on your understanding of the "Site", project information provided to you, and data obtained in your exploration. Also, a copy of general subsurface conditions utilized based on interpretation of subsurface data between borings.

In your report you reference, "contents are intended for the sole use by SCDHEC, my request, pursuant to Freedom of Information Act (FOIA), Public record. Please advise me as-soon-as-possible, as to granting or denying my request.

Thank you for your Assistance

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Aiken, SC  
Telephone

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

E-Mail:

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Exhibit 6



Please find reference letters to the Agency (SCDHEC) as proof of my request for assistance and information as it relates to TMP Number [redacted]

1. A copy of [redacted] letters:

Date: March 26, 2018

March 03, 2017

December 7, 2016, October 11, 2016, August 31, 2016, April 07, 2016 and March 30, 2016

March 24, 2015;

December 17 and 26, 2014 (UPS [redacted]); August 05 and 14, 2014; June 25, 2014,

October 10, 2013;

This "dirty justice" is unacceptable. Tennessee needs to step up and do the just, fair and right thing by the [redacted] family. This well of pain must end now! The [redacted] family has suffered enough

This is no random accident, the old [redacted] Community is predominately Black.

Respectfully submitted:

[redacted] (b) (6) Privacy, (b) (7)(C) Enforcement Privacy

[redacted] (b) (6)

[redacted] (b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Elko, South Carolina 29826

Copy to: Special Agent Brown  
EPA, Washington DC

EXHIBIT 7



March 29, 2018

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy  
[Redacted]

Elko, SC 29826

Re: (b) (6) Privacy, (b) (7)(C) Enforcement Privacy Ravenel, SC  
Release reported March 12, 2008  
UST #01617  
Charleston County

Dear (b) (6) Privacy, (b) (7)(C) Enforcement Privacy [Redacted]

Thank you for your recent correspondence regarding the above-referenced site. As you may recall, agency staff have met with you regarding the petroleum release at the (b) (6) Privacy, (b) (7)(C) Enforcement Privacy facility on multiple occasions, including, most recently, a meeting at the Governor's Office on February 24, 2017 in which we discussed your concerns. At that meeting, DHEC staff proposed to visit your property to determine whether it was possible to sample a drinking water well on the property. Subsequent to that meeting, by correspondence DHEC received on March 3, 2017, you requested that such a visit be postponed until further notice. Since that time, the Department has not received any new information regarding the Ancrum facility and the associated release.

Again, please recall that our staff has repeatedly answered your questions to the fullest extent of their capability, and provided you with all the requested information about the release at the Ancrum facility on multiple occasions. If you have any new information regarding this site, please inform the Department of the same. Should you have other concerns, you may want to consider seeking independent legal or technical advice.

Sincerely,

Michael S. Traynham  
Office of General Counsel  
SC Department of Health and Environmental Control

Cc: Mihir Mehta, SCDHEC, UST Program



Subject: RE: 01617

From: Truman.Bill@epa.gov

To: (b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Cc: Hansen.Susan@epa.gov; Buso.Roberto@epa.gov; Singh.Ben@epa.gov

Date: Tuesday, April 24, 2018, 7:54:59 AM EDT

Ms. Scott,

Thank you for keeping us informed.

Regards,

Bill Truman, Chief

UST/PCB & OPA Enforcement & Compliance Section

AFC

61 Forsyth St.

Atlanta, GA 30303

(404)562-9457

From: (b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Sent: Monday, April 23, 2018 3:56 PM

To: Truman, Bill <Truman.Bill@epa.gov>

Subject: RE: 01617

Mr. Truman,

I have asked for an agreement or final agency (SCDHEC) decision

(See Exhibit 8)

Find messages, documents, photos or people



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Draft Agenda for Your Review & Feedback -- For Proposed EPA Meeting with [Redacted] on August 16, 2018, 1pm (Atlanta, GA) Yahoo/Inbox



**Brian Holtzclaw** 🔍  
Holtzclaw.Brian@epa.gov  
(404) 821-0697

**Holtzclaw, Brian** <Holtzclaw.B[Redacted]> 📄 Aug 13 at 3:49 PM  
To: [Redacted]  
Cc: Newman, Kerie  
Singh, Ben, Truman, Bill  
Verduin, Jeanette



**Bill Truman** 🔍  
Truman.Bill@epa.gov  
(404) 562-9457

[Redacted]

Auto generated card visible only to you

Good afternoon. Again, thanks for your patience.

FYI, this afternoon, I just got approval for this draft agenda (see attachment) and a proposed meeting time/date (1pm – 3pm, Thursday, August 16<sup>th</sup>, 2018). Kindly review the draft agenda and either email me or call me back with any suggestions for improvement. As previously stated, I am currently on a business trip to North Carolina, however, I will have some availability to emails and my cell phone.

Our EPA Team looks forward to your feedback on the draft agenda and meeting you. FYI, I will be securing a meeting room in our EPA Atlanta Office and will be sharing that location with you. I suggest you try to arrive on Thursday, August 16<sup>th</sup>, between 12:30 and 12:45pm, to account for: 1) the distance of the fee-based parking lot in the rear of our building; 2) for time required for a standard security check-in in the lobby of our Atlanta Federal Center (all persons need to be security screened and share a state-issued identification), and; 3) a check-in at our U.S. EPA lobby on the 9<sup>th</sup> floor. I'd be happy to escort you, if you call me when you are in the proximity of our building.

I hope to be talking to you soon. Thanks again,

**Brian Holtzclaw**

Community Engagement Coordinator

Public Affairs Specialist

U.S. Environmental Protection Agency (EPA)

Resource, Conservation and Restoration Division

61 Forsyth Ave, SW, Atlanta, GA 30303

[Holtzclaw.brian@epa.gov](mailto:Holtzclaw.brian@epa.gov); 404-821-0697 (work cell)



Draft Agen....docx  
23kB



🕒 Update time zone



## INITIAL AGENDA FOR PLANNING PURPOSES

### Meeting between U.S. Environmental Protection Agency (EPA) and [REDACTED] & Family Representative

**Date/Time: August 16, 2018 at 1:00 pm – 3:00 pm, eastern standard time**

**Location: U.S. EPA Offices, 61 Forsyth Avenue, SW, Atlanta, GA 30303 (Conference room to be determined)**

**Note: This initial draft agenda is based upon concerns taken from: a letter to the EPA Office of Inspector General from [REDACTED] (dated May 14, 2018) and; EPA staff discussions with [REDACTED] over the past several months.**

#### 1. Introduction.

- a. Purpose of meeting, Ground-rules, Opening remarks, and Outline of environmental laws and regulations used at the [REDACTED] Facility, as well as roles of Federal and State environmental agencies to address Underground Storage Tanks (USTs) issues.

#### 2. Discuss Family's Concerns and Needs to Sell their Vacant [REDACTED] Property

- a. Family to share current needs for selling property and their concerns about devaluation/diminished value of this property. EPA to discuss recent studies on positive impacts to nearby residential property values when cleanup of environmentally contaminated properties occurs.
- b. Discuss what EPA may be able to provide to assist the owners about the environmental status of their property and about the cleanup work done at the nearby Facility, for the family to have on hand for any prospective buyer.

#### 3. Discuss [REDACTED] human health concerns from living at the [REDACTED] property and EPA to discuss environmental agency approaches to addressing environmental risks

- a. [REDACTED] to share perspectives of historic environmental health concerns (i.e., family health issues) and exposure concerns.
- b. EPA to present an overview of environmental basics and risk basics (i.e., how do chemicals move, elements of risk, exposure pathways, and risk management).
- c. EPA will also discuss a historic summary of specific actions taken by the SCDHEC to address the [REDACTED] Facility and their respective UST system.

4. (b) (5) Privacy, (b) (7)(C) EOP will discuss her viewpoints and concerns about not being informed, as well as delayed communications, and responses regarding the discovery, sampling and interventions regarding the USTs at the adjacent (b) (5) Privacy, (b) (7)(C) Facility.
5. Local redevelopment issues that may have affected drainage at (b) (5) Privacy, (b) (7)(C) Enforcement Privacy.
6. Closing Remarks, Next Steps