

South Carolina Department of Health and Environmental Control
Division of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

April 15, 2015
Permit Application Public Notice

Horizon Project Foundation, Inc., OCRM-15-103-J

The Department has received an application for a permit for the alteration of a critical area. The application was submitted pursuant to the Coastal Zone Management Act (Act 123) of 1977 South Carolina General Assembly. The application in brief, is described as follows:

Location: On and adjacent to marshes of the Ashley River at Fishburne Street, Lockwood Boulevard & Hagood Avenue, Charleston, Charleston County, South Carolina. TMS: various.

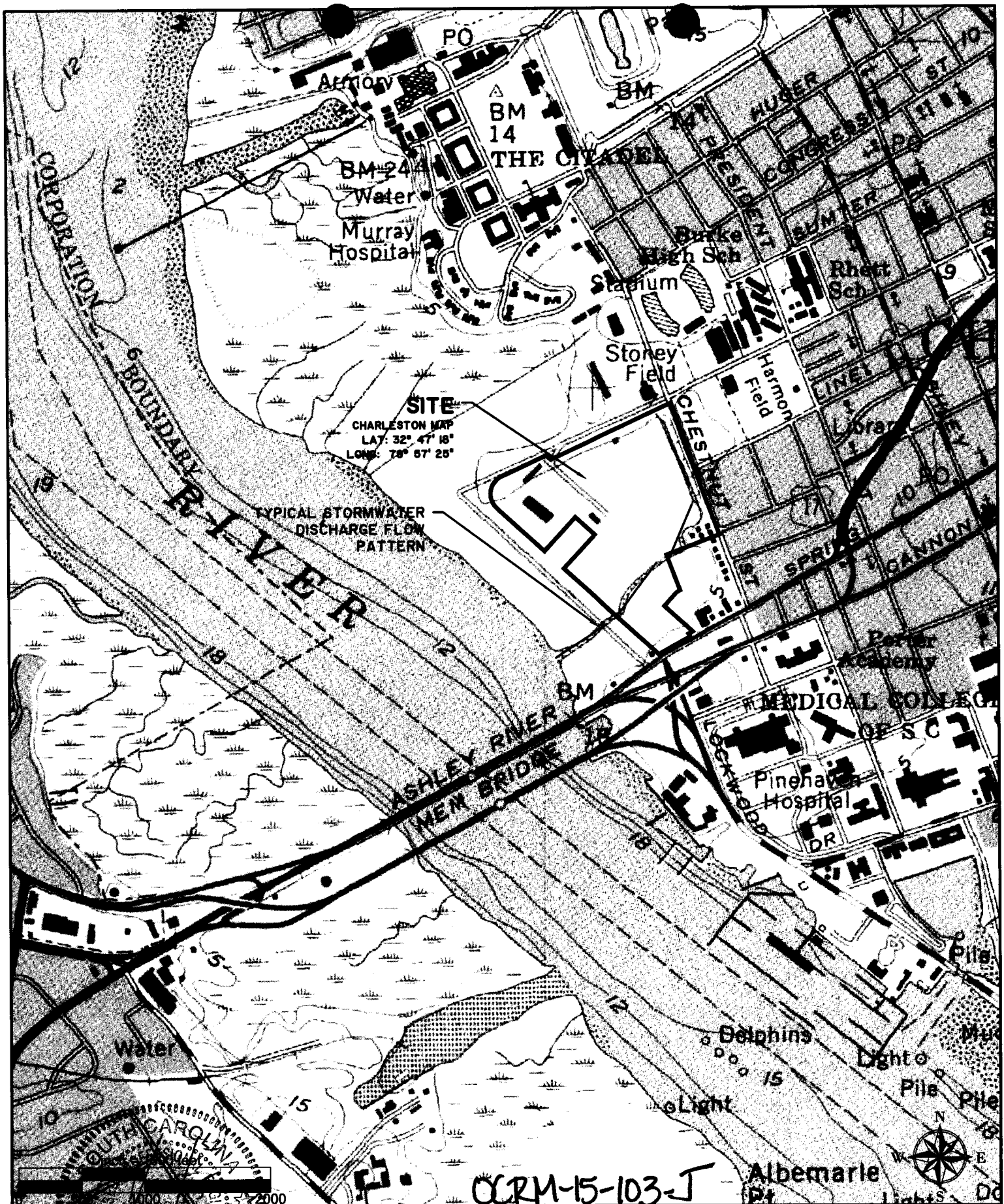
Work: The work as proposed consists of constructing drainage features. Specifically, the applicant seeks to fill 4.025 acres of critical area with 570' of 54" RCP connecting to 1650' of 5' x 8' box culvert to tie into an existing culvert at Lockwood Boulevard. The proposed drainage structures will be pile supported. The drainage system ultimately drains to the Ashley River. The work as described is for drainage.

This public notice is being distributed to all known interested persons and agencies to assist in developing facts on which a decision by the Department can be based. Comments concerning the proposed work must be submitted in writing, setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

Comments regarding this application must be received by the Department on or before **May 15, 2015**. For more information, please contact

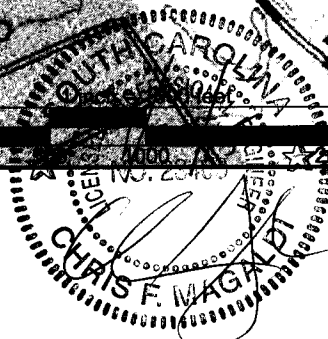
Matt Slagel at 843-953-0250 or via email at slagelmj@dhec.sc.gov.

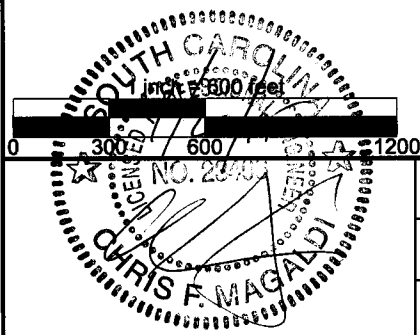
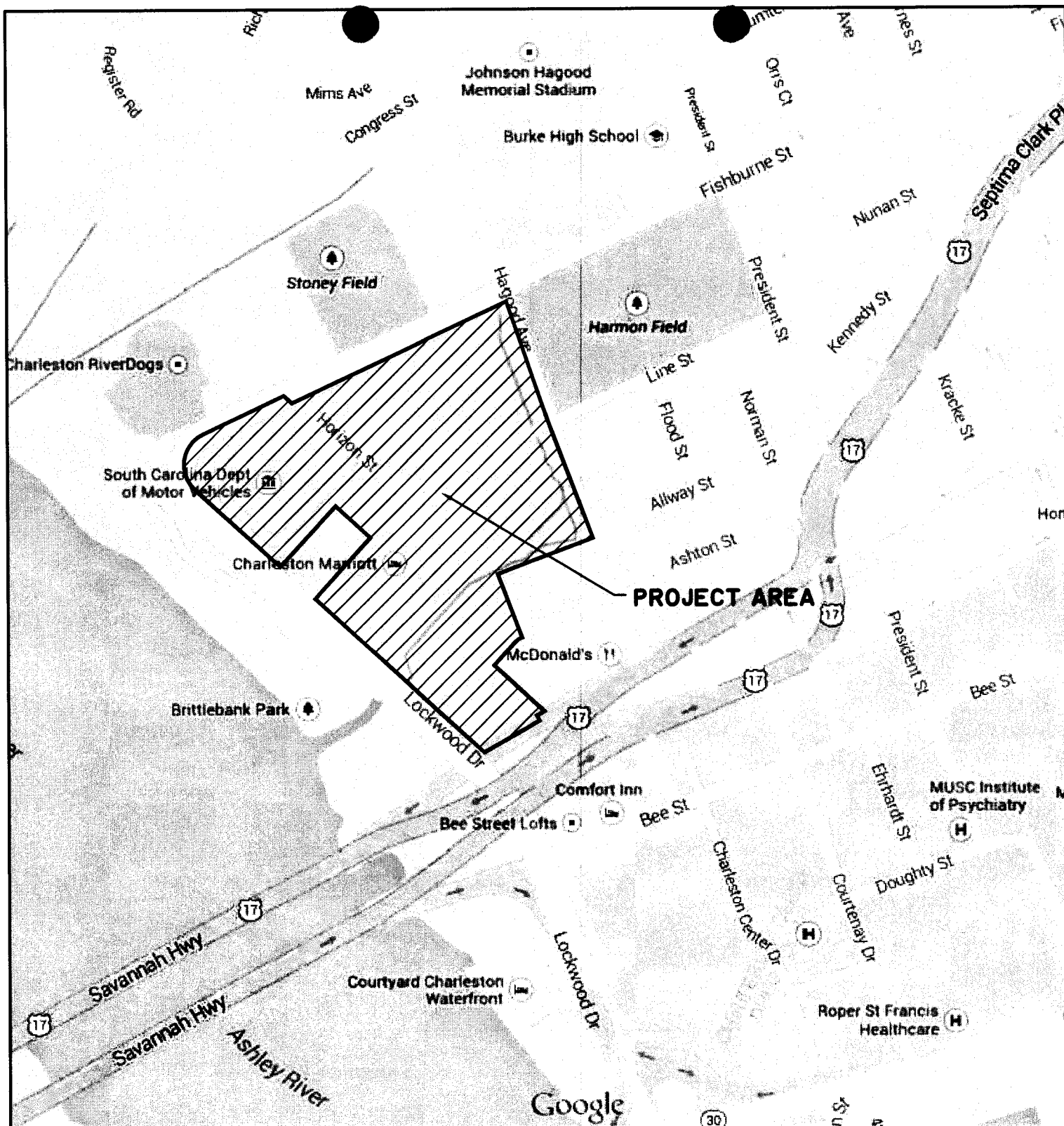
Note: Plans depicting the proposed work are available and will be provided upon receipt of a written request or may be viewed on the Department website at <http://www.scdhec.gov/Apps/Environment/PublicNotices>



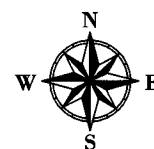
CCRM-15-103-J

Albemarle

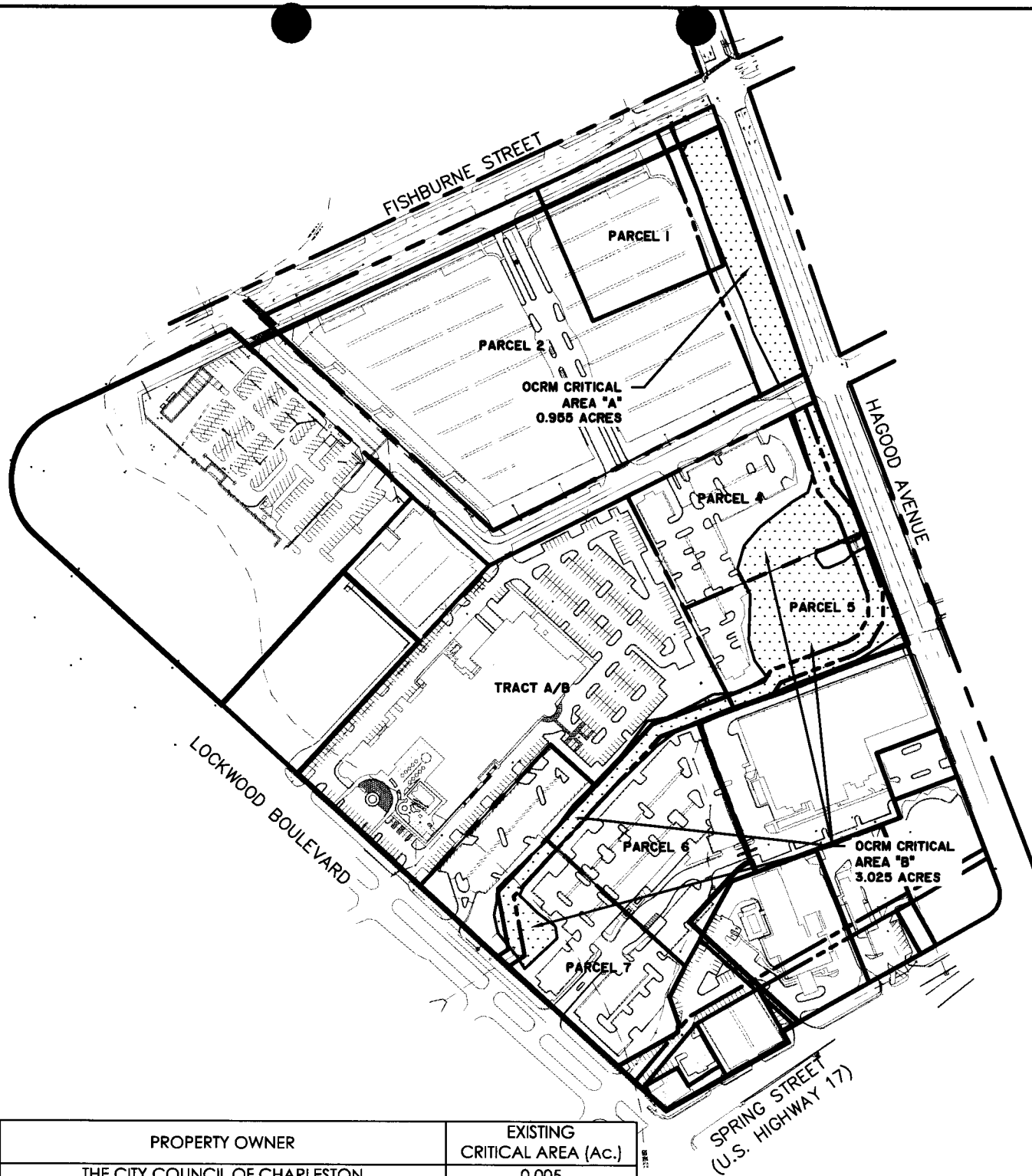




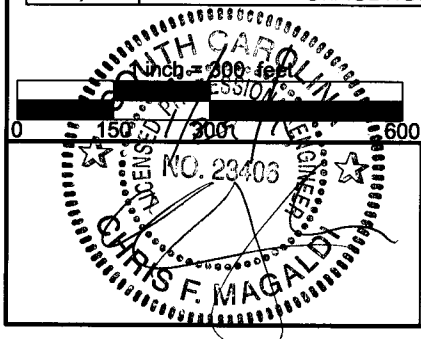
OCRM-15-103-J



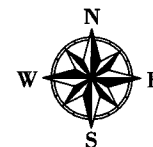
Owner --- Drawing Title Site Location Drawing Reference ---	Project Title Horizon District	Date 07/07/2014
	Project Location Charleston, SC Lat: 32° 47' 18" Long: 79° 57' 25"	Job No. 24627.0000
		WE-2 sht. 2 of 8



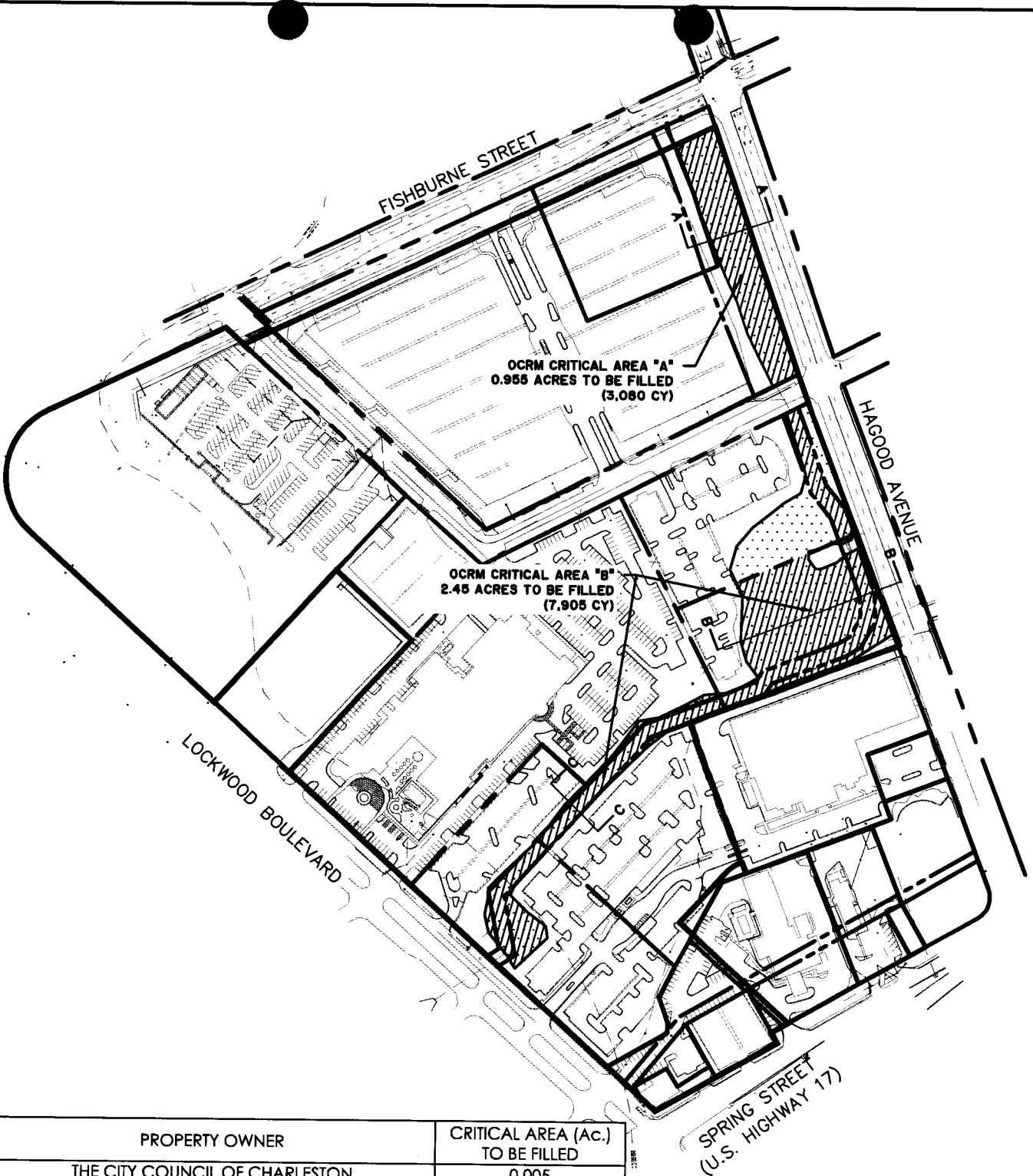
ID	PROPERTY OWNER	EXISTING CRITICAL AREA (Ac.)
1	THE CITY COUNCIL OF CHARLESTON	0.005
2	THE CITY COUNCIL OF CHARLESTON	0.95
4	SOUTH CAROLINA RESEARCH AUTHORITY	0.82
5	CITY OF CHARLESTON	1.48
6	THE MEDICAL UNIVERSITY OF SOUTH CAROLINA	0.38
7	THE MEDICAL UNIVERSITY OF SOUTH CAROLINA	0.34
A/B	GRACE HOSPITALITY, LLC	0.05
		TOTAL - 4.025



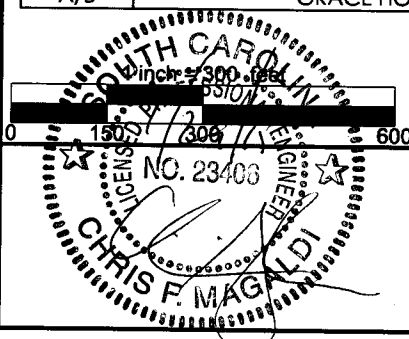
OCRM-15-103-J



Owner --- Drawing Title Existing Wetlands Drawing Reference ---	Project Title Horizon District	Date 07/07/2014
	Project Location Charleston, SC Lat: 32° 47' 18" Long: 79° 57' 25"	Job No. 24627.0000
		WE-3 sht. 3 of 8



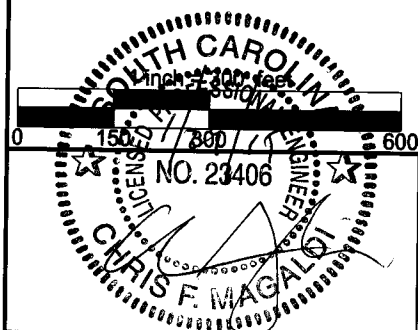
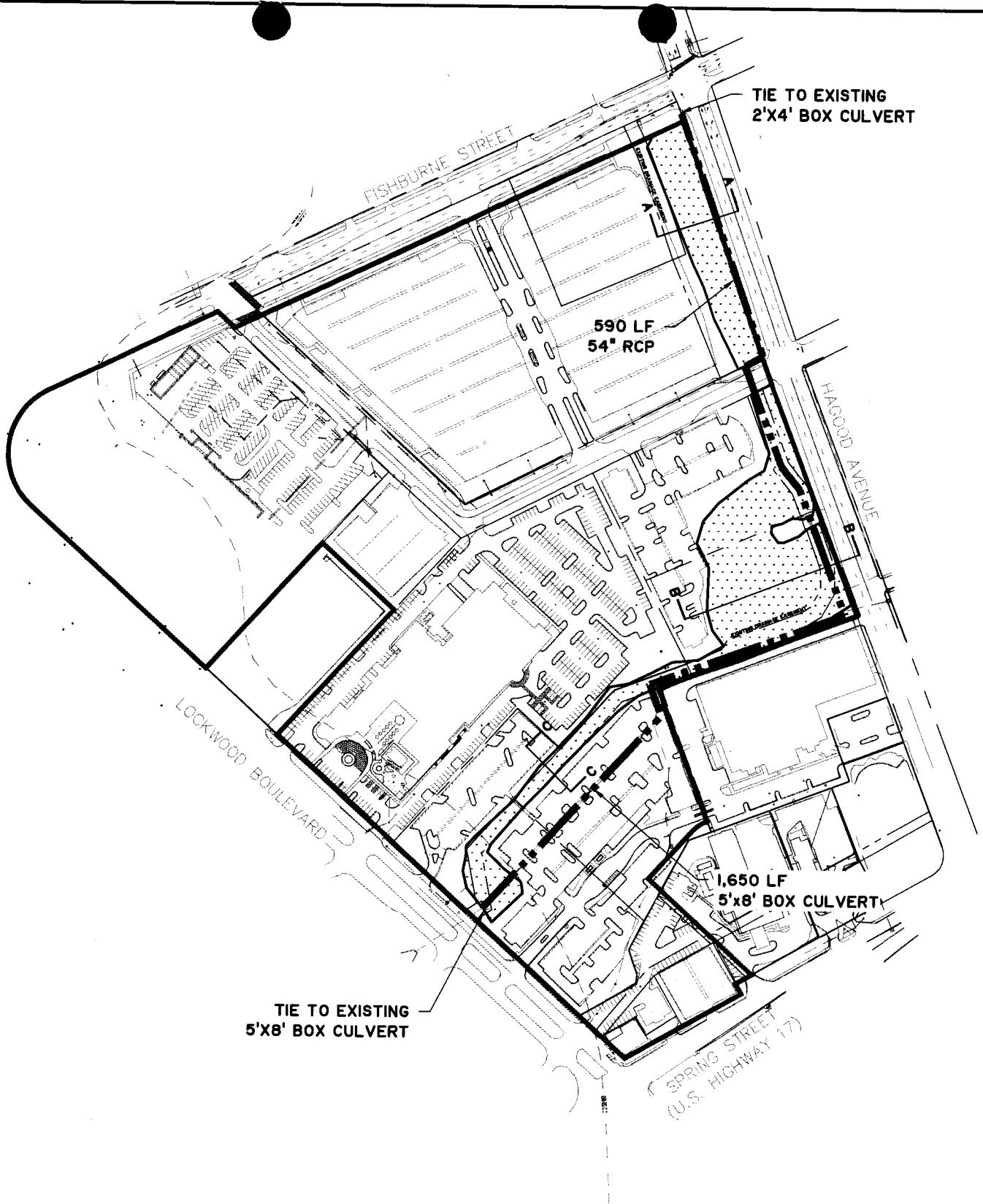
ID	PROPERTY OWNER	CRITICAL AREA (Ac.) TO BE FILLED
1	THE CITY COUNCIL OF CHARLESTON	0.005
2	THE CITY COUNCIL OF CHARLESTON	0.95
4	SOUTH CAROLINA RESEARCH AUTHORITY	0.22
5	CITY OF CHARLESTON	1.48
6	THE MEDICAL UNIVERSITY OF SOUTH CAROLINA	0.38
7	THE MEDICAL UNIVERSITY OF SOUTH CAROLINA	0.34
A/B	GRACE HOSPITALITY, LLC	0.05
		TOTAL - 3.425



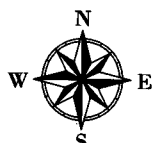
OCRM-15-103-J



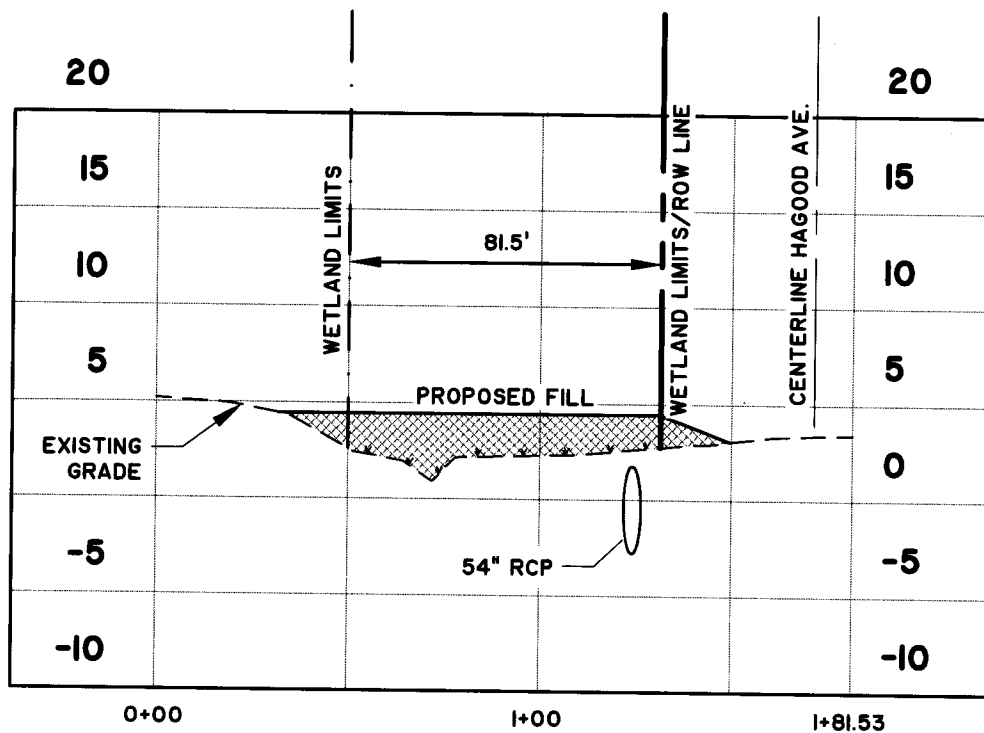
Owner	Project Title	Date
---	Horizon District	07/07/2014
Drawing Title	Project Location	Job No.
Fill Exhibit	Charleston, SC	24627.0000
Drawing Reference	Lat: 32° 47' 18"	WE-4
---	Long: 79° 57' 25"	sht. 4 of 8



OCRM-15-103-J



Owner --- Drawing Title Conceptual Site Plan Drawing Reference ---	Project Title Horizon District	Date 07/07/2014
	Project Location Charleston, SC	Job No. 24627.0000
	Lat: 32° 47' 18" Long: 79° 57' 25"	WE-5 sht. 5 of 8



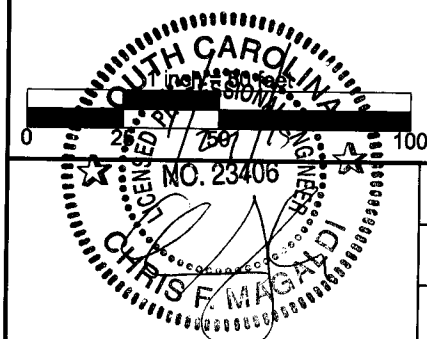
CRITICAL AREA FILL SECTION A

STATIONS: 0+00 - 1+82

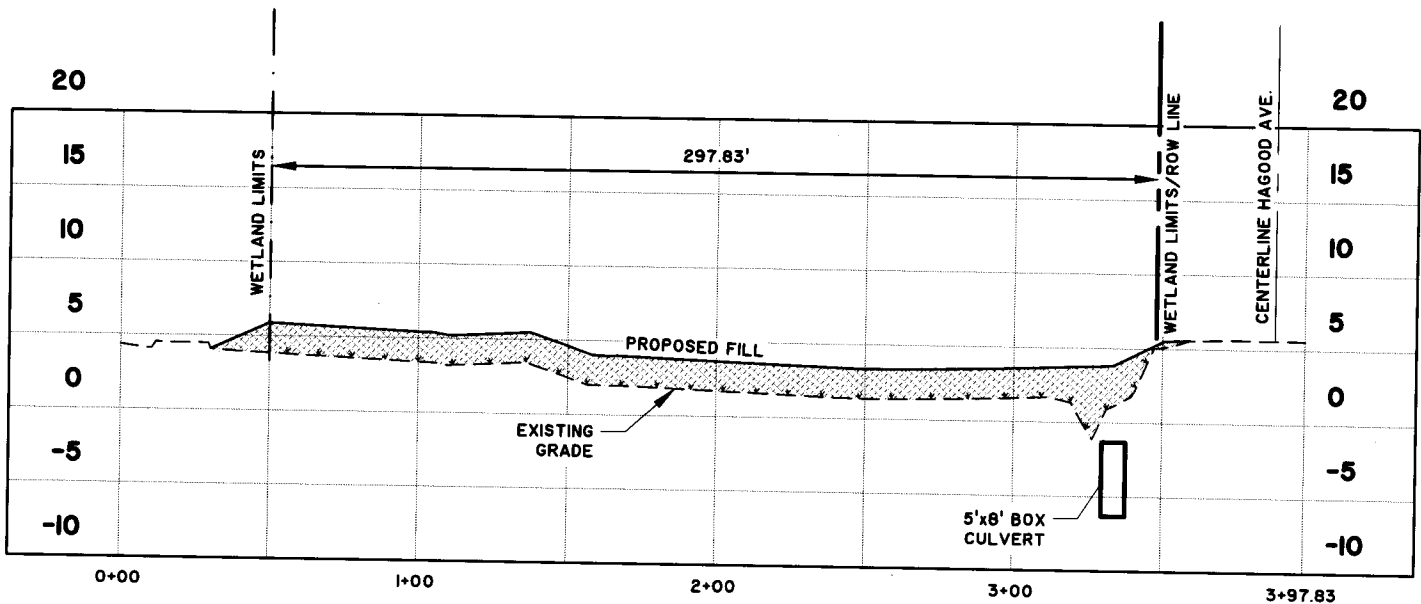
SCALE: HORZ.: 1" = 50'

VERT.: 1" = 10'

OCRM-15-103-J



Owner	Project Title	Date
---	Horizon District	07/07/2014
Drawing Title	Project Location	Job No.
Fill Cross-Section A	Charleston, SC	24627.0000
Drawing Reference	Lat: 32° 47' 18"	WE-6
---	Long: 79° 57' 25"	sht. 6 of 8

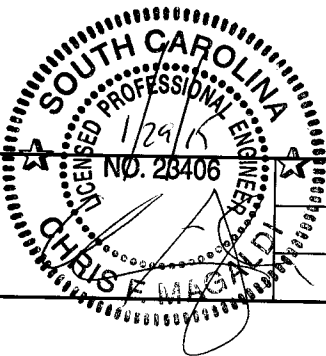


CRITICAL AREA FILL SECTION B

STATIONS: 0+00 - 3+98

SCALE: HORZ.: 1" = 50'

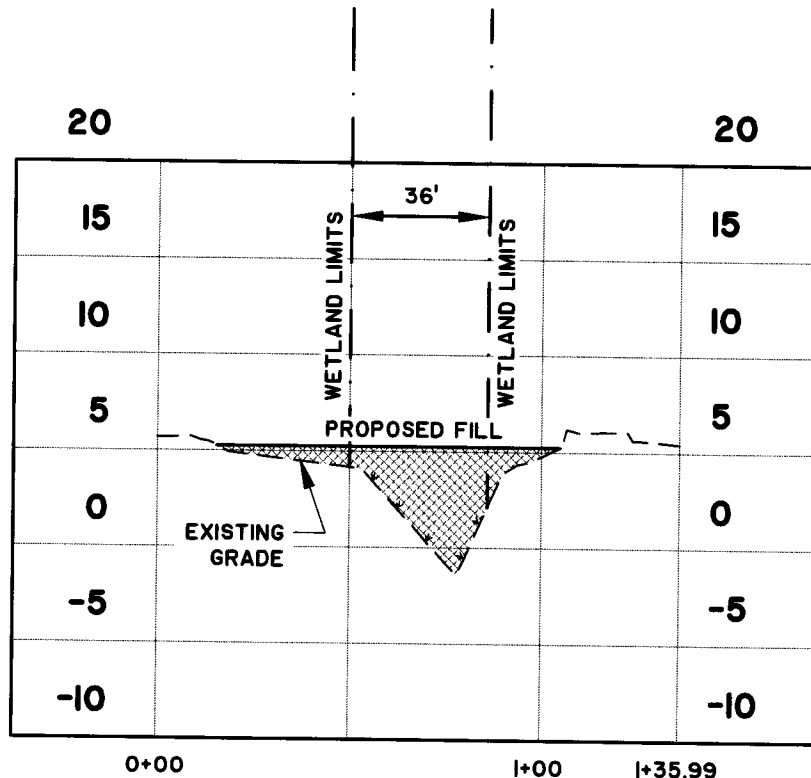
VERT.: 1" = 10'



Owner	Project Title	Date	
Drawing Title	Horizon District	07/07/2014	
Fill Cross-Section B	Project Location	Job No.	
Drawing Reference	Charleston, SC	24627.0000	
	Lat: 32° 47' 18"	WE-7	
	Long: 79° 57' 25"	sht. 7 of 8	

OCRM-15-103-J

RECEIVED
 JAN 29 2015
 DHEC - OCRM
 CHARLESTON OFFICE



CRITICAL AREA FILL SECTION C

STATIONS: 0+00 - 1+36

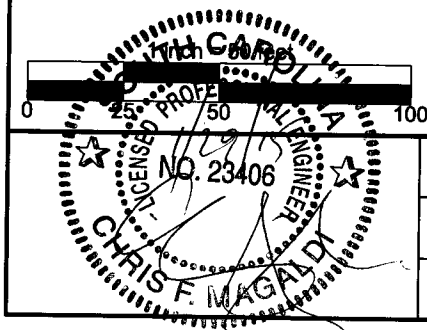
SCALE: HORZ.: 1" = 50'

VERT.: 1" = 10'

RECEIVED
JAN 23 2015

DHEC - OCRM
CHARLESTON OFFICE

OCRM-15-103-J



Owner	Project Title	Date
---	Horizon District	07/07/2014
Drawing Title	Project Location	Job No.
Fill Cross-Section C	Charleston, SC	24627.0000
Drawing Reference	Lat: 32° 47' 18"	WE-8
---	Long: 79° 57' 25"	sht. 8 of 8

JAN 27 2015

DHEC - OCRM
CHARLESTON OFFICE

com



PERMIT

S. C. Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management

<u>Charleston</u>	<u>Beaufort</u>	<u>Myrtle Beach</u>
953-0200	846-9400	238-4528
953-0201 (fax)	846-9810 (fax)	238-4526 (fax)

NAME & MAILING ADDRESS OF APPLICANT
(and email address if applicable)

Horizon Project Foundation, Inc.

c/o Michael T. Maher, CEO

19 Hagood Avenue Suite 909J

Charleston, SC 29403

PHONE #: (Bus.) 843-958-6493

(Home) _____

(Fax) _____

NAME AND MAILING ADDRESS OF AUTHORIZED AGENT:
(If an agent is listed, all correspondence will be sent to the agent.)

Chris Magaldi, P.E.

Thomas and Hutton, Eng., Inc.

682 Johnnie Dodds Blvd

Mt. Pleasant, SC 29464

PHONE #: (Bus.) 843-849-0200 or

(Home) 843-725-5233

(Fax) (both office #s)

1650'

Pile supported

DESCRIBE THE DIMENSIONS, GENERAL SPECIFICATIONS, AND PURPOSE OF THE PROJECT:

The project is described as "Maintenance of Existing Fill Horizon

District". The Project's dimensions and general specifications

are the placement of fill material and a pipe within a drainage

feature resulting in filling approximately 4.0 acres of tidelands

wetlands within an area formerly used as a landfill.

NAMES AND COMPLETE MAILING ADDRESSES OF ADJOINING PROPERTY OWNERS: (If the applicant owns adjoining property, give name and address for nearest property not owned by applicant.)

See attached list

of adjoining property

owners

See attached

narrative for Project

purpose and description

(Attach additional sheet of paper if necessary.)

LOCATION OF THE PROJECT (address & directions to the site):

The parcels comprising the Horizon District are located

adjacent to Fisburne St. and Lockwood Blvd and are bounded by

Hagood Avenue.

COUNTY: Charleston

TAX MAP NUMBER (Required on all applications): see attached list in multiple
parcels

LOCAL GOVERNING BODY WITH JURISDICTION OVER SITE: _____

NAME OF WATERWAY: _____

MARYHOPE
MATT SLAGEL

BLAIR
SAYS TO PROCEED W/ P/N

OCR-15-103-J
81423



PERMIT APPLICATION

S. C. Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management
Charleston Beaufort Myrtle Beach
953-0200 846-9400 238-4528
953-0201 (fax) 846-9810(fax) 238-4526(fax)

IS ANY PORTION OF ACTIVITY FOR WHICH AUTHORIZATION IS SOUGHT NOW COMPLETE?

YES ☐ NO ☒

IF "YES", GIVE REASONS, INCLUDING THE MONTH AND YEAR ACTIVITY WAS COMPLETED.
INDICATE EXISTING WORK ON DRAWINGS.

ADDITIONAL REMARKS:

See attached Project Narrative

APPLICATION IS HEREBY MADE FOR A PERMIT OR PERMITS TO AUTHORIZE THE ACTIVITIES DESCRIBED HEREIN. I CERTIFY THAT I AM FAMILIAR WITH THE INFORMATION CONTAINED IN THIS APPLICATION, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF SUCH INFORMATION IS TRUE, COMPLETE, AND ACCURATE. I FURTHER CERTIFY THAT I POSSESS THE AUTHORITY TO UNDERTAKE THE PROPOSED ACTIVITIES OR I AM ACTING AS THE DULY AUTHORIZED AGENT OF THE APPLICANT.

Michael T. Maher
Signature of Applicant

Michael T. Maher
2015.01.26 13:22:18 -05'00'
Date

[Signature]
Signature of Agent (if agent has been listed)

1/26/15
Date

IMPORTANT!! THE APPLICATION MUST BE SIGNED BY THE APPLICANT AND THE AUTHORIZED AGENT (IF AN AGENT HAS BEEN LISTED ON PAGE ONE OF THIS APPLICATION).

The applicant shall permit the SCDHEC Office of Ocean and Coastal Resource Management, the District Engineer, the State Law Enforcement Division, South Carolina Department of Natural Resources, and other State permit inspection agencies, or their representative(s) to make periodic inspection at any time deemed necessary in order to assure that the activity being performed is in accordance with the terms and conditions prescribed herein.

RE: Horizon

Magaldi, Christopher <magaldi.c@thomasandhutton.com>

Mon 4/6/2015 9:06 AM

Inbox

To: Trumbull, Mary <trumbumt@dhec.sc.gov>;

Tess, here is the purpose of project you requested:

The previous after-the-fact permit issued in 1971 authorized "an existing fill...in the marsh...covering an area north of US Highway 17 to the Citadel, Charleston County, South Carolina." The permit included a condition that "the permittee will maintain the structure herein approved in good conditions in accordance with the approved plans." The overall project purpose is to conduct activities to maintain the structure as required as a condition of the permit.

Let me know if you need anything else. Thanks.

Chris Magaldi, PE

Thomas & Hutton

(P) 843-725-5233

(C) 843-749-2721

[Website](#)

"Relationships and Solutions for Success"

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From: Trumbull, Mary [mailto:trumbumt@dhec.sc.gov]

Sent: Friday, April 03, 2015 12:17 PM

To: Magaldi, Christopher

Subject: Re: Horizon

Hey - Can you give me the narrative for the 'purpose of the project'?

From: Magaldi, Christopher <magaldi.c@thomasandhutton.com>

Sent: Friday, April 3, 2015 11:53 AM

To: Trumbull, Mary

Subject: Horizon

Tess,

Per our conversation the 1,650 LF of 5'x8' of box culvert and 590 LF 54" RCP proposed in the Horizon permit application will be piled supported. Please let me know if you have any other questions. Thanks.

Chris Magaldi, PE

Thomas & Hutton

(P) 843-725-5233

(C) 843-749-2721

Website

"Relationships and Solutions for Success"

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Horizon

Magaldi, Christopher <magaldi.c@thomasandhutton.com>

Fri 4/3/2015 11:53 AM

Inbox

To: Trumbull, Mary <trumbumt@dhec.sc.gov>;

Tess,

Per our conversation the 1,650 LF of 5'x8' of box culvert and 590 LF 54" RCP proposed in the Horizon permit application will be piled supported. Please let me know if you have any other questions. Thanks.

Chris Magaldi, PE

Thomas & Hutton

(P) 843-725-5233

(C) 843-749-2721

[Website](#)

"Relationships and Solutions for Success"

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Tax Map Numbers of Parcels Impacted by Proposed Maintenance Fill

TMS #: 460-00-00-022	Owner: City of Charleston
TMS #: 460-00-00-008	Owner: City of Charleston
TMS #: 460-00-00-023	Owner: City of Charleston
TMS #: 460-00-00-015	Owner: SCRA
TMS #: 460-00-00-021	Owner: Medical University of S. C.
TMS #: 460-00-00-014	Owner: Medical University of S. C.
TMS #: 460-00-00-018	Owner: Grace Hospitality LLC

Adjoining Property Owners

✓ City of Charleston
c/o Laura Cabaniss, P. E.
Public Service Director
75 Calhoun Street
Charleston, S. C. 29401

TMS #: 460-00-00-022 (Fishburne St. and Hagood Ave.)
TMS #: 460-00-00-013 (Fishburne St. and Lockwood Blvd.)
TMS #: 460-00-00-008 (Fishburne St. and Hagood Ave.)
TMS #: 460-00-00-012 (Horizon St.)
TMS #: 460-00-00-023 (Hagood Avenue)

✓ South Carolina Employment Security Commission
Legal Department
P. O. Box 995
Columbia, S. C. 29202-0995

TMS #: 460-00-00-024 (176 Lockwood Blvd.)

✓
Grace Hospitality, LLC
Luke Finlay, CFO
60 Pointe Circle
Greenville, S. C. 29615-3568

TMS #: 460-00-00-018 (170 Lockwood Blvd.)

Medical University of S. C.

P. O. Box 250205

Charleston, S. C. 29452-0205

TMS #: 460-00-00-021 (Lockwood Blvd.)

TMS #: 460-00-00-014 (Lockwood Blvd.)

TMS #: 460-00-00-017 (19 Hagood Avenue)

South Carolina Research Authority

1330 Lady Street

Suite 503

Columbia, S. C. 29201-3300

TMS #: 460-00-00-015 (Hagood Avenue)



**AFFIDAVIT OF
OWNERSHIP
OR CONTROL**

S. C. Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management
Charleston **Beaufort** **Myrtle Beach**
953-0200 846-9400 238-4523
953-0201 (fax) 846-9810 (fax) 238-4526 (fax)

I hereby certify that I am the (check one):

- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Record Owner |
| <input type="checkbox"/> | Lessee |
| <input type="checkbox"/> | Record Easement Holder |
| <input type="checkbox"/> | Applicant To Record Owner For Easement |
| <input type="checkbox"/> | Contract To Purchase Property |

of the below described property situated in Charleston County, South Carolina; and that said property is all of that said property that is contiguous to and landward of the area in which the work proposed in the permit application is to be conducted. Furthermore, I certify that as record owner, lessee, or record easement holder, I have, or will have prior to undertaking the work, necessary approvals or permission from all other persons with a legal interest in said property to conduct the work proposed in the permit application.

WRITE LEGAL DESCRIPTION OF HIGHLAND (as described in deed, lease, etc.) BELOW OR WRITE "SEE ATTACHED" (in large bold letters) AND ATTACH A COPY OF THE DEED, LEASE, EASEMENT, OR MOST RECENT CERTIFIED PLAT OF THE PROPERTY. IF YOU ARE NOT THE RECORD OWNER, LESSEE OR EASEMENT HOLDER, YOU MUST ALSO SUBMIT WRITTEN PERMISSION FROM THE OWNER OF THE PROPERTY TO CARRY OUT THE PROPOSED ACTIVITY.

Tract A and B Lockwood Drive
TMS 460-00-00-018

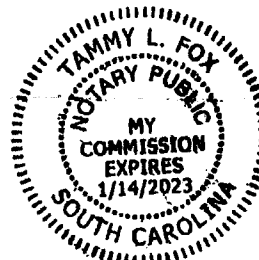
I also certify that the project as proposed does not cross any wetlands or areas below mean high water which is in the ownership of other private persons or public or private entities and that there is no disputed claim to the wetlands or areas below mean high water by private person or other entities due to a Kings Grant, State Grant, easement or conveyance or other legal document evidencing ownership of these areas.


Signature of Record Holder or Lessee

Sworn to and subscribed before me at Greenville, Greenville County,
South Carolina, this 9th day of September, 2014


Notary Public

My commission expires: 1-14-2023



Grace Hospitality, LLC
60 Pointe Circle
Greenville, SC 29615

September 9, 2014

Tess Trumbull
SCDEH-OCRM
1362 McMillan Avenue
Suite 400
Charleston, SC 29405

Re: Maintenance of Existing Fill Horizon District

Dear Ms. Trumbull:

Grace Hospitality, LLC, is the record owner of one parcel located in the City of Charleston, South Carolina, which is or may be impacted by the above-referenced project. This parcel is identified as Tract A and B, located on Lockwood Drive, TMS 460-00-00-018.

Grace Hospitality, LLC, expressly authorizes activities described in the permit application submitted to SCDHEC-OCRM by the Horizon Project Foundation, Inc. that will be undertaken on Tract A and B, Lockwood Drive.

Sincerely,

Grace Hospitality, LLC



By: Luke Finlay, Authorized Signatory

Enclosure: Affidavit of Ownership or Control



AFFIDAVIT OF OWNERSHIP OR CONTROL

S. C. Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management
Charleston 953-0200 953-0201 (fax)
Beaufort 846-9400 846-9810(fax)
Myrtle Beach 238-4528 238-4526(fax)

I hereby certify that I am the (check one):

- ☒ Record Owner
- ☐ Lessee
- ☐ Record Easement Holder
- ☐ Applicant To Record Owner For Easement
- ☐ Contract To Purchase Property

of the below described property situated in Charleston County, South Carolina; and that said property is all of that said property that is contiguous to and landward of the area in which the work proposed in the permit application is to be conducted. Furthermore, I certify that as record owner, lessee, or record easement holder, I have, or will have prior to undertaking the work, necessary approvals or permission from all other persons with a legal interest in said property to conduct the work proposed in the permit application.

WRITE LEGAL DESCRIPTION OF HIGHLAND (as described in deed, lease, etc.) BELOW OR WRITE "SEE ATTACHED" (in large bold letters) AND ATTACH A COPY OF THE DEED, LEASE, EASEMENT, OR MOST RECENT CERTIFIED PLAT OF THE PROPERTY. IF YOU ARE NOT THE RECORD OWNER, LESSEE OR EASEMENT HOLDER, YOU MUST ALSO SUBMIT WRITTEN PERMISSION FROM THE OWNER OF THE PROPERTY TO CARRY OUT THE PROPOSED ACTIVITY.

Parcel B, 2 acres, Hagood Avenue 460-00-00-008

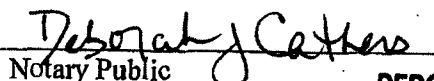
Parcel A, 9.48 acres, Line Street between Hagood and Horizon
460-00-00-022

Tract A-1 Hagood Avenue 460-00-00-023

I also certify that the project as proposed does not cross any wetlands or areas below mean high water which is in the ownership of other private persons or public or private entities and that there is no disputed claim to the wetlands or areas below mean high water by private person or other entities due to a Kings Grant, State Grant, easement or conveyance or other legal document evidencing ownership of these areas.


Signature of Record Holder or Lessee

Sworn to and subscribed before me at City of Charleston, Charleston County,
South Carolina, this 16th day of January, 2015.


Notary Public

DEBORAH J. CATHERS

My commission expires: Notary Public, State of South Carolina
My Commission Expires 12/30/2020

Tess Trumbull
SCDHEC-OCRM
1362 McMillan Avenue
Suite 400
Charleston, SC 29405

Re: Maintenance of Existing Fill Horizon District

Dear Ms. Trumbull:

The City of Charleston is the record owner of three parcels located in the City of Charleston, South Carolina, which are or may be impacted by the above-referenced project. These parcels are identified as Tract A-1, located on Hagood Avenue, Parcel A Line Street, and Parcel B, Hagood Avenue, TMS numbers 460-00-00-023, 460-00-00-022, 460-00-00-008 respectively.

The City of Charleston expressly authorizes the activities described in the permit application submitted to SCDHEC-OCRM by the Horizon Project Foundation, Inc. that will be undertaken on Tract A-1, Parcel A, and Parcel B described above.



For the City of Charleston



AFFIDAVIT OF OWNERSHIP OR CONTROL

S. C. Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management
Charleston Beaufort Myrtle Beach
953-0200 846-9400 238-4528
953-0201 (fax) 846-9810(fax) 238-4526(fax)

I hereby certify that I am the (check one):

- ☒ Record Owner
☐ Lessee
☐ Record Easement Holder
☐ Applicant To Record Owner For Easement
☐ Contract To Purchase Property

of the below described property situated in Charleston County, South Carolina; and that said property is all of that said property that is contiguous to and landward of the area in which the work proposed in the permit application is to be conducted. Furthermore, I certify that as record owner, lessee, or record easement holder, I have, or will have prior to undertaking the work, necessary approvals or permission from all other persons with a legal interest in said property to conduct the work proposed in the permit application.

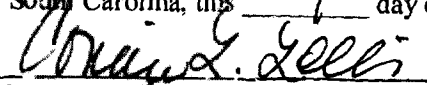
WRITE LEGAL DESCRIPTION OF HIGHLAND (as described in deed, lease, etc.) BELOW OR WRITE "SEE ATTACHED" (in large bold letters) AND ATTACH A COPY OF THE DEED, LEASE, EASEMENT, OR MOST RECENT CERTIFIED PLAT OF THE PROPERTY. IF YOU ARE NOT THE RECORD OWNER, LESSEE OR EASEMENT HOLDER, YOU MUST ALSO SUBMIT WRITTEN PERMISSION FROM THE OWNER OF THE PROPERTY TO CARRY OUT THE PROPOSED ACTIVITY.

Tract A-2, 2.56 acres, located on Southwest Corner of Hagood Avenue. 460-00-00-015

I also certify that the project as proposed does not cross any wetlands or areas below mean high water which is in the ownership of other private persons or public or private entities and that there is no disputed claim to the wetlands or areas below mean high water by private person or other entities due to a Kings Grant, State Grant, easement or conveyance or other legal document evidencing ownership of these areas.


Signature of Record Holder or Lessee

Sworn to and subscribed before me at Columbia, Richland County, South Carolina, this 7 day of January, 2015.


Notary Public

My commission expires: 09.24.2022

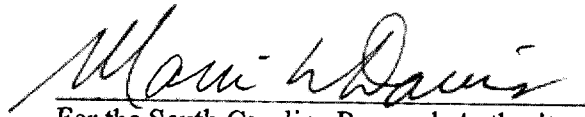
Tess Trumbull
SCDHEC-OCRM
1362 McMillan Avenue
Suite 400
Charleston, SC 29405

Re: Maintenance of Existing Fill Horizon District

Dear Ms. Trumbull:

The South Carolina Research Authority ("SCRA") is the record owner of one parcel located in the City of Charleston, South Carolina, which is or may be impacted by the above-referenced project. This parcel is identified as Tract A-2, located on Hagood Avenue, TMS 460-00-00-015.

SCRA expressly authorizes the activities described in the permit application submitted to SCDHEC-OCRM by the Horizon Project Foundation, Inc. that will be undertaken on Tract A-2 Hagood Avenue.


For the South Carolina Research Authority



Office of the Executive Vice President
for Finance and Operations

179 Ashley Avenue
Colcock Hall
MSC 003
Charleston SC 29425-0030
Tel 843 792 5050
Fax 843 792 4975

Ms. Tess Trumbull
SCDHEC-OCRM
1362 McMillan Avenue
Suite 400
Charleston, SC 29405

RE: Maintenance of Existing Fill Horizon District

Dear Ms. Trumbull:

The Medical University of South Carolina is the record owner of two parcels which are or maybe impacted by the above-referenced project. These projects are identified as Tract 2A, Lockwood Boulevard and Tract 2B Lockwood Boulevard, City of Charleston, South Carolina, TMS 460-00-00-021 and 460-00-00-014.

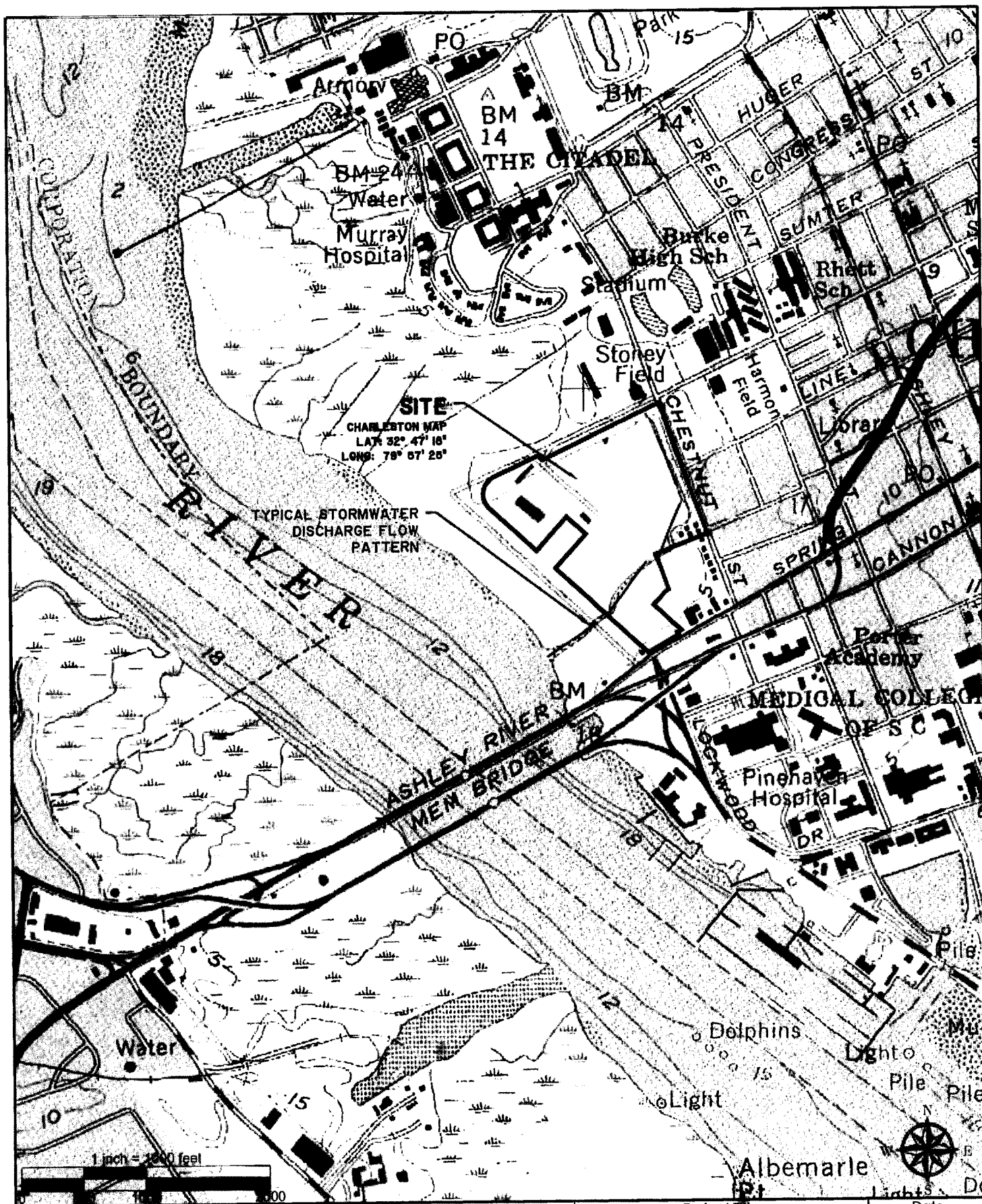
The Medical University of South Carolina expressly authorizes the activities described in the permit application submitted to SCDHEC-OCRM by the Horizon Project Foundation, Inc. that will be undertaken on Tracts 2A and 2B, Lockwood Boulevard.

Please contact me should you have any questions.

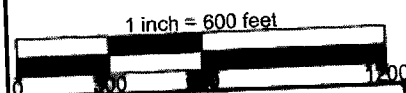
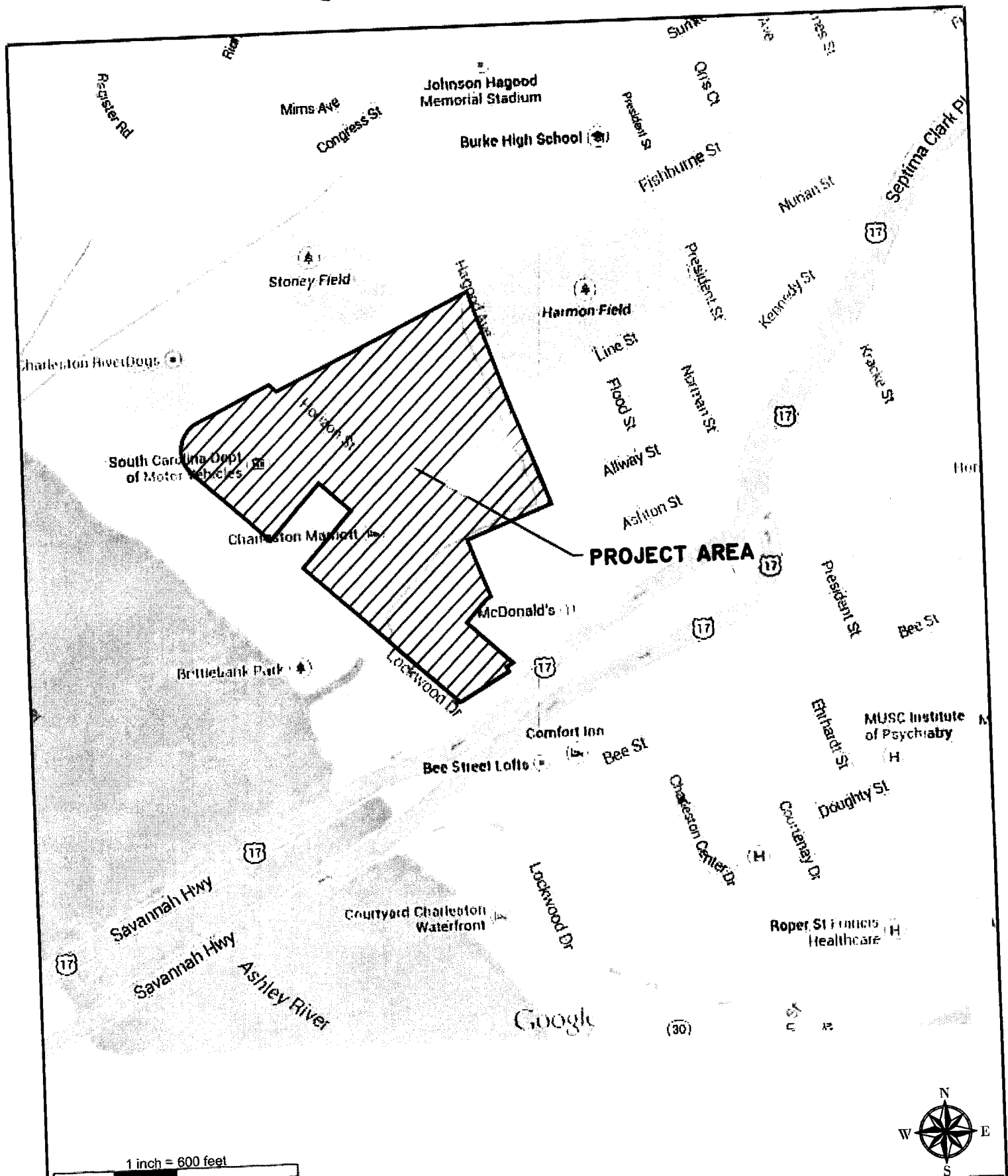
Sincerely,

A handwritten signature in black ink, appearing to read "Lisa P. Montgomery", is written over the word "Sincerely,".

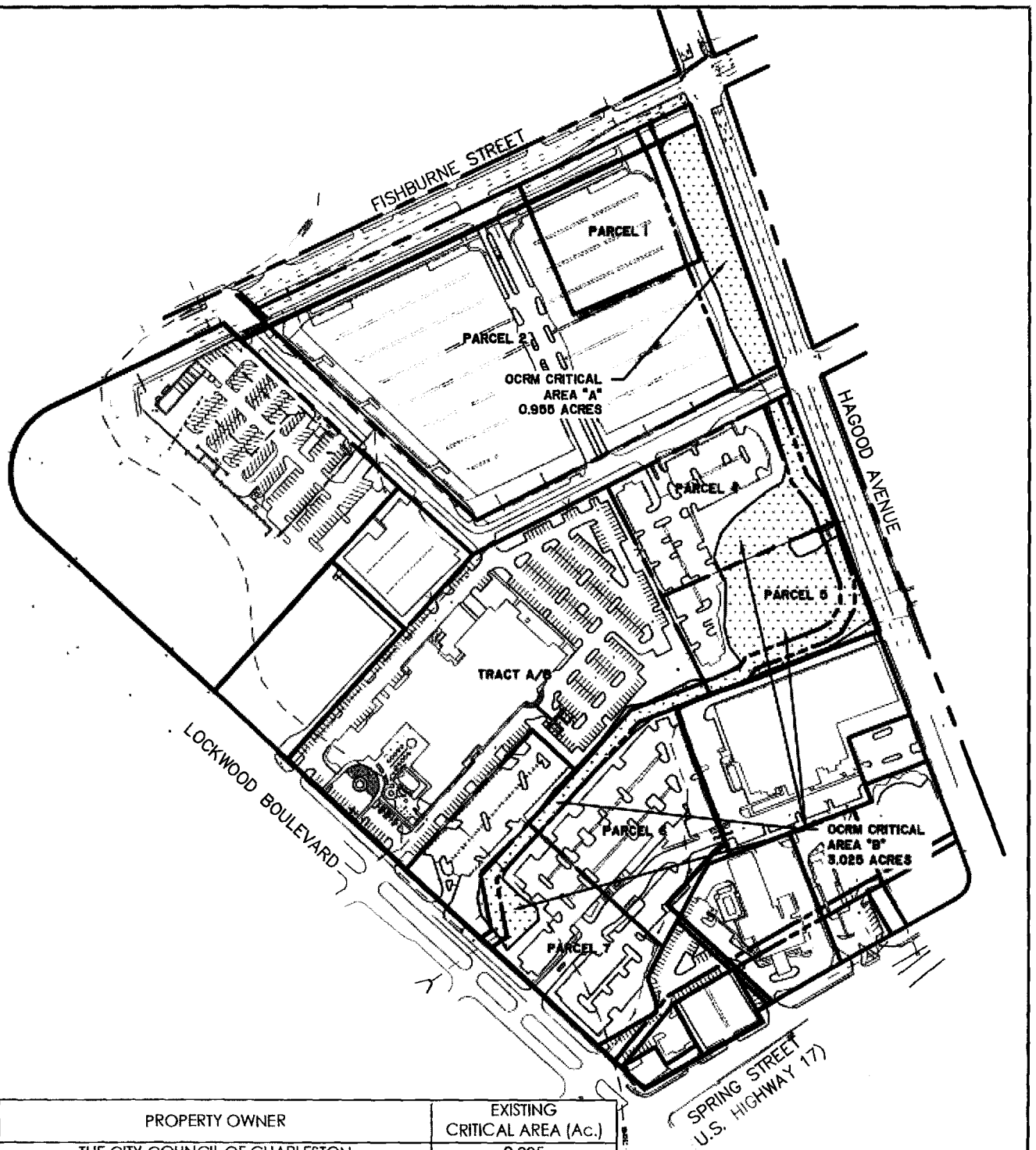
Lisa P. Montgomery
Executive Vice President
Finance and Operations



Owner	Project Title	Date
	Horizon District	07/07/2014
	Project Location	Job No.
Drawing Title	Charleston, SC	24627.0000
Drawing Reference	Lat: 32° 47' 18"	WE-1
	Long: 79° 57' 25"	sht. 1 of 8



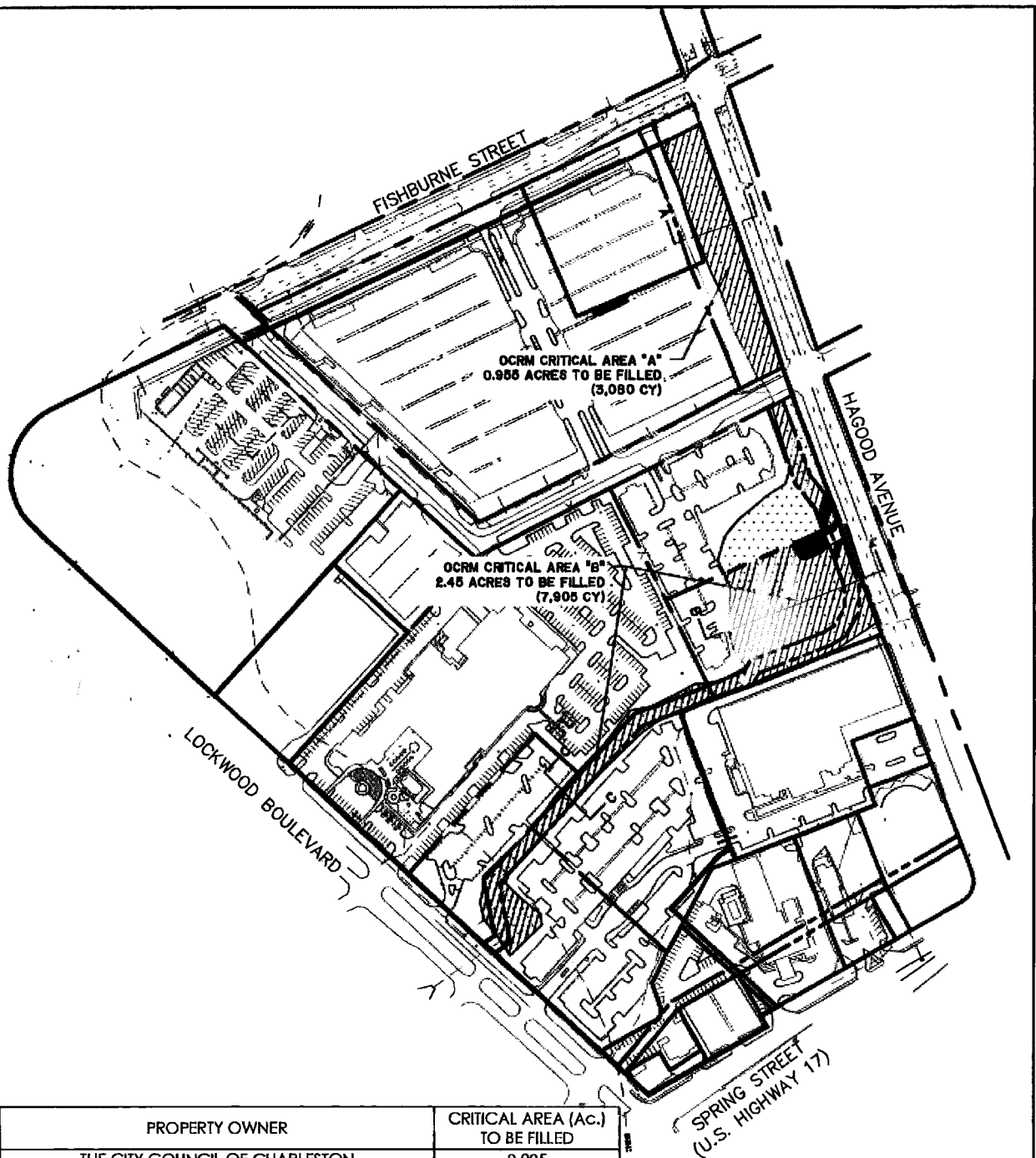
Owner	Project Title	Date
---	Horizon District	07/07/2014
Drawing Title	Project Location	Job No.
Site Location	Charleston, SC	24627.0000
Drawing Reference	Lat: 32° 47' 18"	WE-2
---	Long: 79° 57' 25"	sht. 2 of 8



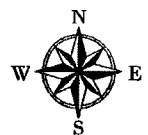
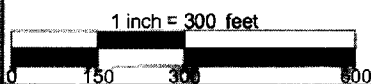
ID	PROPERTY OWNER	EXISTING CRITICAL AREA (Ac.)
1	THE CITY COUNCIL OF CHARLESTON	0.005
2	THE CITY COUNCIL OF CHARLESTON	0.95
4	SOUTH CAROLINA RESEARCH AUTHORITY	0.82
5	CITY OF CHARLESTON	1.48
6	THE UNIVERSITY OF SOUTH CAROLINA	0.38
7	THE MEDICAL UNIVERSITY OF SOUTH CAROLINA	0.34
A/B	GRACE HOSPITALITY, LLC	0.05
		TOTAL - 4.025



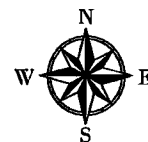
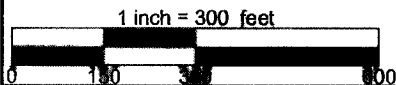
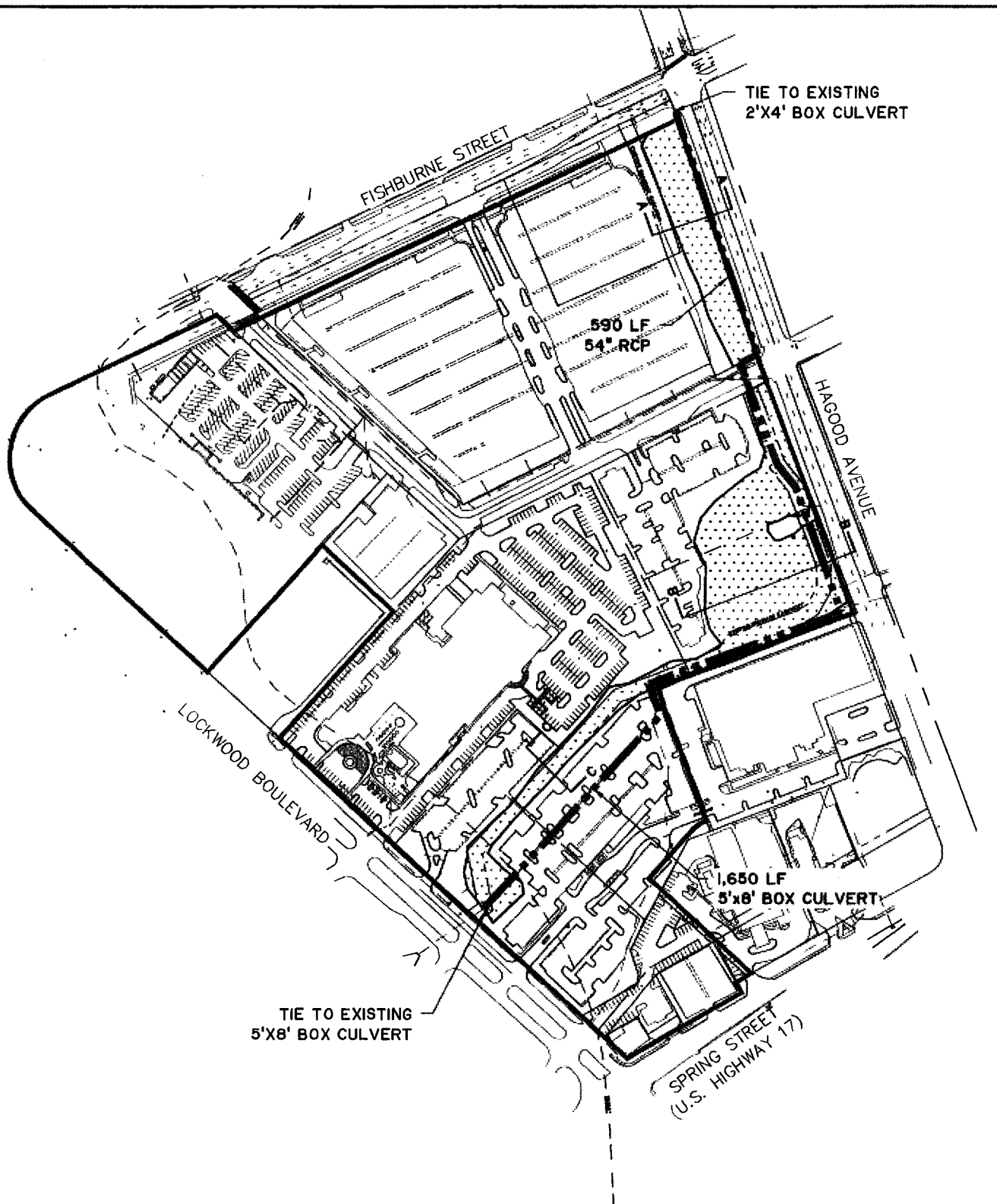
<div> <div>Owner</div> <div>---</div> </div>	<div> <div>Project Title</div> <div>Charleston, SC</div> <div>Lat: 32° 47' 18"</div> </div>	<div> <div>Date</div> <div>24627.0000</div> <div>WE-3</div> <div>Sheet 2 of 2</div> </div>
<div> <div>Existing Wetlands</div> <div>Drawing Reference</div> </div>		



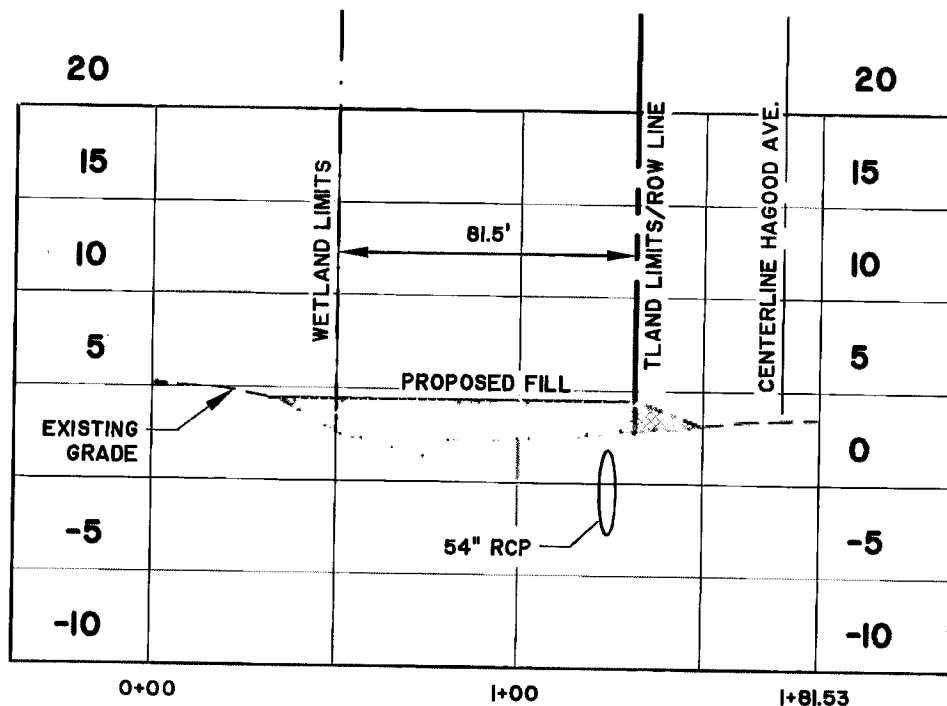
ID	PROPERTY OWNER	CRITICAL AREA (Ac.) TO BE FILLED
1	THE CITY COUNCIL OF CHARLESTON	0.005
2	THE CITY COUNCIL OF CHARLESTON	0.95
4	SOUTH CAROLINA RESEARCH AUTHORITY	0.22
5	CITY OF CHARLESTON	1.48
6	THE MEDICAL UNIVERSITY OF SOUTH CAROLINA	0.38
7	THE MEDICAL UNIVERSITY OF SOUTH CAROLINA	0.34
A/B	GRACE HOSPITALITY, LLC	0.05
		TOTAL - 3.425



	Owner	Project Title	Date
	Drawing Title	Horizon District	07/07/2014
	Fill Exhibit	Project Location	Job No.
	Drawing Reference	Charleston, SC	24627.0000
		Lat: 32° 47' 18"	WE-4
		Long: 79° 57' 25"	sht. 4 of 8



<div>Owner</div> <div>Drawing Title</div> <div>Conceptual Site Plan</div> <div>Drawing Reference</div>	<div>Project Title</div> <div>Horizon District</div> <div>Project Location</div> <div>Charleston, SC</div> <div>Lat: 32° 47' 18"</div>	<div>Date</div> <div>07/07/2014</div>
		<div>Job No.</div> <div>24627.0000</div>
		<div>WE-5</div>

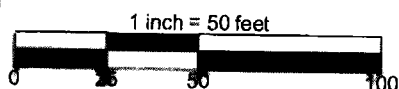


CRITICAL AREA FILL SECTION A

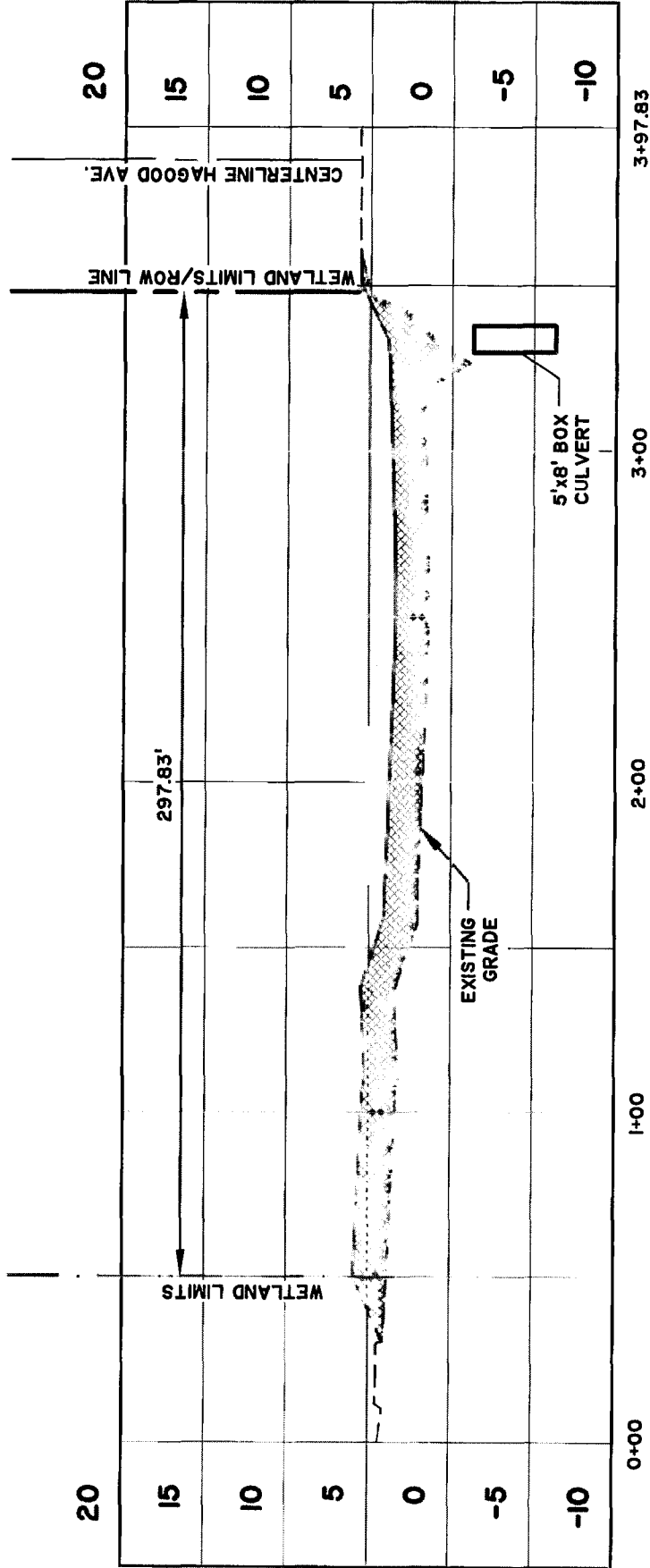
STATIONS: 0+00 - 1+82

SCALE: HORZ.: 1" = 50'

VERT.: 1" = 10'



	Owner	Project Title	Date
	Drawing Title	Horizon District	07/07/2014
	Fill Cross-Section A	Project Location	Job No.
	Drawing Reference	Charleston, SC	24627.0000
		Lat: 32° 47' 18"	WE-6
		Long: 79° 57' 25"	Sheet 4 of 8

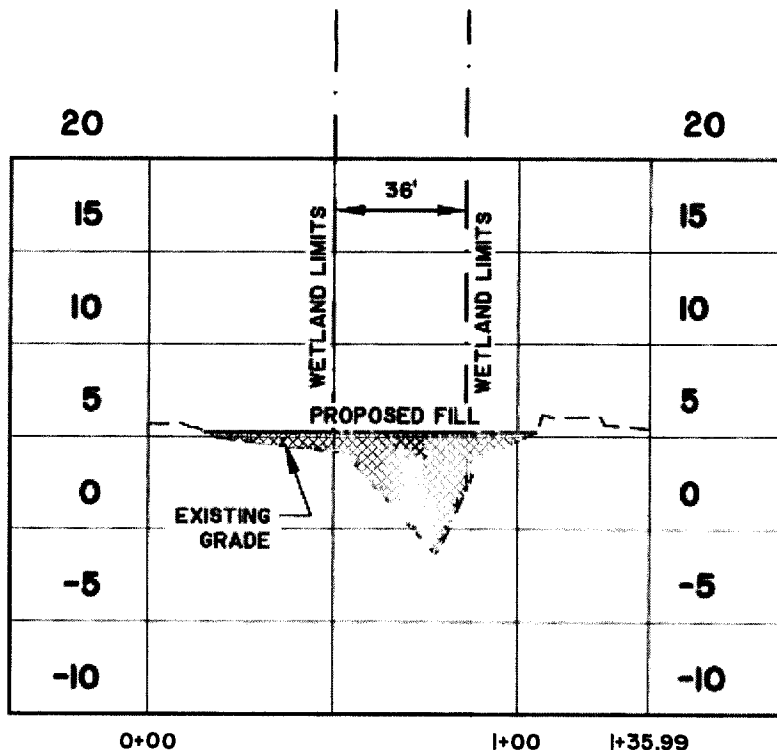


CRITICAL AREA FILL SECTION B

STATIONS: 0+00 - 3+98
 SCALE: HORZ.: 1" = 50'
 VERT.: 1" = 10'

	Owner	Project Title	Date
	Drawing Title	Horizon District	07/07/2014
	Fill Cross-Section B	Project Location	Job No.
	Drawing Reference	Charleston, SC	24627.0000
		Lat: 32° 47' 18"	WE-7
		Long: 79° 57' 25"	sht. 7 of 8



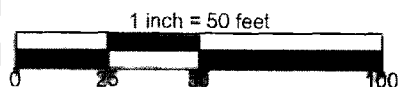


CRITICAL AREA FILL SECTION C

STATIONS: 0+00 - 1+36

SCALE: HORZ.: 1" = 50'

VERT.: 1" = 10'



	Owner ---	Project Title Horizon District	Date 07/07/2014
	Drawing Title Fill Cross-Section C	Project Location Charleston, SC	Job No. 24627.0000
	Drawing Reference ---	Lat: 32° 47' 18" Long: 79° 57' 25"	WE-8

Project Description

Horizon Project Foundation, Inc. ("HPF") proposes, on behalf of the City of Charleston ("City") and The Medical University of South Carolina Foundation ("MUSCF"), to conduct maintenance of previously authorized fill and to pipe and re-route stormwater runoff that presently flows through open ditches on the project site which has exposed municipal and medical waste as a result of scour and the deterioration of the original fill and landfill cap ("Project"). The stormwater runoff ultimately leaves the site through an existing box culvert under Lockwood Boulevard and discharges directly into the marshes of the Ashley River.

Background

The Project is located on lands formerly used by the City as a landfill ("Landfill"). The Landfill was located in areas generally bound by Spring Street, Hagood Avenue, Fishburne Street and encompassed approximately 95 acres of former marshland along the Ashley River. Municipal, medical, and industrial wastes were disposed into unlined trenches at the site. The Landfill was in operation from 1955 to 1969. Soil and groundwater contamination were identified in a CERCLA sampling inspection report for the Landfill dated September 13, 1988.¹

Following the closure of the Landfill in 1969, the City obtained an "after-the-fact" permit from the United States Army Corps of Engineers, ("the Corps") issued on February 8, 1971, (#71-02-15.) The permit authorized "an existing fill ... in the marsh ... covering an area north of U. S. highway 17 to the Citadel, Charleston County, South Carolina." A copy of this permit is attached as Exhibit A to this narrative. The permit referenced attached plans and included a condition that it be recorded with the RMC's Office. The permit included a condition that "the permittee will maintain the structure herein approved in good conditions in accordance with the approved plans."

The approved plans, incorporated by reference in the permit, included the following additional specifications: "3. No further use of the subject property will be made as a garbage or refuse dump. ... 5. A cover layer of non-waste bearing earth having a compacted thickness of not less than two feet (including existing earth cover) will be provided over the entire area and shall be completed within five years from the date the permit is issued, subject to budgetary limitations and the availability of funds to the City of Charleston. ... 6. No beneficial use will be made of any portion of the property nor any structure constructed thereon without first placing the earth cover layer as described in Note 5 above on that portion of the property affected." The permit, which was issued under the River and Harbors and Act, also includes general condition "n": "[t]hat no building or other structure may be erected on the fill approved by this permit unless such building or other structure is appropriately identified and describe in the plans and drawings attached hereto."

The Corps has provided wetland determinations for various parcels comprising the Horizon Project Area. The Corps has determined that there are "jurisdictional waters of the

¹ Phase I Environmental Site Assessment, August 23, 2011, S&ME.

United States, which includes wetlands" located on the parcels comprising the Horizon Project Area. "These salt marsh wetlands and open-water tidal areas are 'Critical Area'." ²

The Corps' findings were based, in part, on review of plats delineating wetland boundaries which included approved "critical lines" for the impacted parcels³ from SCDHEC-OCRM, signed by Steve Brooks of OCRM on February 1, 2012. Mr. Brooks approved a critical line for the parcels owned by the City, impacted by the project, which include .005⁴ acres of tidal wetlands, 1.48⁵ acres of critical area, and .95⁶ acres of tidal wetlands. Brooks approved a critical line for the parcel owned by SCRA which includes .82⁷ acres of critical area. Brooks approved a critical line for the parcels owned by MUSC including .38⁸ acres of tidal wetlands and .34⁹ acres of tidal wetlands. Brooks approved a critical line for the parcel owned by Grace Hospitality, LLC, including .05 acres of tidal wetlands.¹⁰

The applicant HPF proposes impact to 4.025 acres of tidal, critical area wetlands in accordance with the attached plans as part of the Project. The impacts are associated with the stormwater improvements include the installation of approximately 570 linear feet of 54" RCP and 1,650 linear feet of 5'x8' box culvert within an existing City drainage easement adjacent to Hagood Avenue, running south, and then east towards Lockwood Blvd. Following completion of the stormwater improvements a cover layer of non-waste bearing earth having a compacted thickness of not less than two feet (including existing earth cover) will be placed in all exposed areas of the Landfill in order to restore and maintain the cover or cap, as required in the Corps' permit. It is estimated that the Project will require 13,115 cubic yards of fill material.

SCDHEC's Bureau of Land and Waste Management has considered the project plans and concluded that "re-routing of stormwater and enhancement of the landfill cap related to the proposed redevelopment of properties between Hagood and Lockwood Drive" are "positive" improvements to conditions at the former Landfill site. A letter from Kent M. Coleman, Director of the Division of Mining and Solid Waste, reflecting this determination is attached as Exhibit B.

Horizon Project Foundation/Horizon Project Area

HPF is a South Carolina nonprofit corporation established to support the City and MUSCF. HPF is governed by a Board of Directors, and is organized exclusively for charitable, scientific, and educational purposes.

² Letters, Charles R. Crosby (Corps) to Bret Davis (S&ME), February 2, 2012 and February 3, 2012.

³ For purposes of this permit application the "impacted parcels" are the parcels impacted by the proposed maintenance fill.

⁴ TMS # 460-00-00-008

⁵ TMS # 460-00-00-023

⁶ TMS # 460-00-00-022

⁷ TMS # 460-00-00-015

⁸ TMS # 460-00-00-021

⁹ TMS # 460-00-00-014

¹⁰ TMS # 460-00-00-018

In 2012, the City and MUSCF entered into a Memorandum of Understanding ("MOU") in which they agreed to establish HPF. In accordance with the MOU the primary functions of HPF are to support "the education, research and clinical funding activities of MUSCF ... and ... the City's objective to create economic development opportunities and improved quality of life in its neighborhoods, by working to implement the redevelopment project plan for the development of the area known as the Horizon Redevelopment Project Area."

The Horizon Redevelopment Project Area is reflected on the drawings attached to the Critical Area Permit Application and consists of approximately 20 contiguous acres proposed for redevelopment to accomplish the purposes set forth in the MOU. The parcels contained within the Project Area are identified as:

- | | | |
|-----|---------------------|--|
| 1. | TMS # 460-10-02-022 | Lot 4A-2 Spring Street |
| 2. | TMS # 460-00-00-022 | Parking Lot Near Joe Riley Baseball Park |
| 3. | TMS # 460-00-00-008 | Parking Lot Near Joe Riley Baseball Park |
| 4. | TMS # 460-00-00-023 | Tract A-1 Hagood Avenue |
| 5. | TMS # 460-00-00-012 | Horizon House |
| 6. | TMS # 460-10-02-014 | 244 Spring Street |
| 7. | TMS # 460-00-00-021 | Tract 2-B Lockwood Blvd vacant land |
| 8. | TMS # 460-00-00-014 | Tract 2-A Lockwood Blvd vacant land |
| 9. | TMS # 460-10-02-023 | Lot 4 A-1 Spring Street |
| 10. | TMS # 460-10-02-019 | Lot 16, 17, 18 and 19, 360 Spring St. |

The subject parcels are located on the western edge of the Charleston Peninsula and are bound by Fishburne Street to the north, Spring Street to the south, Hagood Avenue to the east, and Lockwood Drive to the west. This entire area is within the original boundary of the Landfill and subject to the conditions of the Corps' permit, including the obligation to maintain the cover structure.

Regulatory Requirements

Normal Maintenance and Repair of a Grandfathered Structure.

"Normal Maintenance and Repair" is defined as "work performed on any structure within the critical area as part of a routine and ongoing program to maintain the integrity of the structure provided that the structures is still generally intact and functional in its present condition and the work only extends to the original dimensions of the structure.." S. C. Code Reg. 30-1(D)(36).

"Normal maintenance and repair applies only to work on a structure which has been previously permitted or is grandfathered or exempted and is still generally intact and functional in its present conditions. The work may only extend to the original dimensions of the structure, and any expansion, additions, or major rebuilding will require either a Department permit or documentation to and written approval from the Department." R. 30-5(D)

Normal Maintenance and Repair for structures in the critical area is generally considered exempt from the permitting requirements embodied in S. C. Code Ann. Sec. 48-39-130.

Additionally, "[m]aintenance and repair of drainage and sewer facilities constructed in accordance with federal or state laws and normal maintenance and repair of any utility or railroad" is specifically exempted from critical area permitting requirements in accordance with S. C. Code Ann. Sec. 48-39-130(D)(7).

Here, HPF proposes to repair and maintain the cover, or cap, over the Landfill. Following the installation of the cap, the City established a drainage easement in 1973 over and across the Landfill. The existing drainage ditch facilitates and conveys stormwater and tidal flows from the surrounding drainage basin which includes the adjoining roads, portions of the Citadel's athletic and alumnae facilities, Burke High School, surrounding public housing communities, and other commercial and residential areas. The easement purpose must be preserved while maintaining and repairing the cap, which is accomplished with the installation of the pipe, culvert and cover material. These activities clearly constitute repair of a drainage facility authorized by the Corps, as the drainage ditch is depicted and labeled on the drawings accompanying the permit. Consequently, HPF is exempt from the requirement to obtain a critical area permit.

In preliminary conversations with SCDHEC, the staff requested that HPF submit a permit application, rather than a request for authorization as normal maintenance and repair. If the staff concludes, upon review of the activities as described in this application, that the exemption provided by S. C. Code Ann. Sec. 48-39-130 is inapplicable, then the regulatory requirements discussed below are triggered.

Dredging and Filling - Critical Areas

S. C. Code Ann. Reg. 30-12(G) governs project proposals for placing fill material in critical area. Here the applicant proposes to place approximately 13,115 cubic yards of cover material over a pipe and culvert, installed in critical area to fulfill maintenance obligations under the Corps permit that authorized the capping of the Landfill, and to facilitate the drainage over and across the Landfill. S. C. Code Ann. Reg. 30-12(G)(2)(a) addresses the regulatory standard for fill activities in tidelands critical areas. "The creation of commercial and residential lots strictly for private gain is not a legitimate justification for the filling of wetlands. Permit applications for the filling of wetlands and submerged lands for these purposes shall be denied, except for erosion control ... or boat ramps. All other dredge and fill activities not in the public interest will be discouraged." (Emphasis added.)

HPF is not seeking to place fill material to create commercial and/or residential lots. Those "lots" already exist. Sheet 3/8 of the permit application drawings includes a table, or key, reflecting information for 7 "lots" or "parcels", and five property owners. This list of parcels is not inclusive of all of the parcels comprising the Horizon Project Area, which is a total of ten, as enumerated above. Instead HPF's project is to maintain compliance with the conditions in the Corps permit to maintain the structure and that "[n]o beneficial use will be made of any portion of the property nor any structure constructed thereon without first placing the earth cover layer as described in Note 5 above on that portion of the property affected." The City's drainage facility and easement area is exposed, and cover is required before the redevelopment can be accomplished.

In accordance with the requirements of 30-12(G), this project is in the public interest. The City's elected officials and governing bodies establish public policy and identify the public interest within the political boundaries of the City. As is referenced in the MOU between the City and MUSCF, the City has determined that the public interest is served through facilitating medical research, creating economic development opportunities, and improving quality of life in its neighborhoods. HPF was created to further these interests. The redevelopment proposed within the Horizon Project Area is described as "an urban, mixed-use, bio-tech research development." HPF's vision is to transform the Horizon Project Area into multi-family residential space, offices, and research space. In plans submitted recently to the City's Board of Architectural Review, HPF indicated that redevelopment efforts would include residential infill, biotech research centers with an incubator accelerator, offices, retail, including a grocery store, and restaurant space. HPF intends to increase the City's profile in the biotechnology industry and to extend medical research currently being undertaken at MUSC into the commercial realm. However, no additional beneficial use of these parcels can be undertaken without addressing the current condition of the landfill cap and the contact between waste and stormwater and tidal flows.

Mitigation

S. C. Code Reg. 30-4(G) provides mitigation criteria for critical area permit. "Mitigation may be required for any projects impacting tidelands at the discretion of the Department." HPF requests that the Department waive any mitigation requirement in accordance with its discretionary authority. The tidal wetlands at issue exist within an unlined landfill. The landfill cap has eroded significantly causing direct contact between stormwater, tidal waters, and waste, trash, and debris. As is noted in the environmental reports prepared for various parcels located within the Horizon Project Area, there is existing soil and groundwater contamination. HPF proposes to repair the cap, eliminate the pathway for stormwater and tidal flows to come into contact with waste, and to channelize the drainage providing for better flow and addressing, to some degree, flooding that occurs during significant rain and tidal events. As was noted by the Bureau of Land and Waste Management, the project is a "positive" measure to address current, undesirable conditions at the former landfill site.

Conclusion

HPF seeks authorization to impact 4.025 acres of what are now described as tidal wetlands. These impacts are unavoidable, as HPF seeks to repair and maintain the eroded cap over the Landfill that was initially authorized by the Corps in 1971. Currently, drainage over and across the Landfill and to the Ashley River is through channels that are scoured, eroded, and exposed to waste. The repair and maintenance of the Landfill cover is exempt from SCDHEC's permitting requirements, since the cap is a grand-fathered structure authorized by the Corps prior to the inception of the State's regulatory authority over tidal wetlands and since the project is maintenance and repair of an existing drainage facility, as evidenced by the City's drainage easement which was initially executed and recorded in 1973. A copy of this easement is attached to this narrative as Exhibit C.

Should SCDHEC determine that a critical area permit is required, the project satisfies the requirements of R. 30-12(G) and has been determined to be in the public's interest by the elected officials of the City.

A

DEPARTMENT OF THE ARMY

Permit #71-02-15

APPROVAL OF PLANS

BOOK 7. 99 PAGE 338

SANKF

8 February, 1971

City of Charleston
Charleston, South Carolina 29402

District Engineer
Corps of Engineers
P. O. Box 919
Charleston, S. C. 29402

Gentlemen:

Referring to written request dated 30 April 1970 for the
approval of the attached plans of an existing fill

which has been constructed in the marsh area along the easterly shore of the
Ashley River

XXI covering an area north of U. S. Highway 17 to The Citadel, Charleston
County, South Carolina.

Upon the recommendation of the Chief of Engineers, and under the provisions of Section 10
of the Act of Congress approved March 3, 1899, entitled "An act making appropriations for
the construction, repair, and preservation of certain public works on rivers and harbors, and

for other purposes," said plans are approved by the Secretary of the Army, subject to the following conditions:

- (a) That this instrument does not convey any property rights either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to private property or invasion of private rights, or any infringement of Federal, State or local laws or regulations, nor does it obviate the necessity of obtaining State or local assent required by law for the structure or work herein approved.
- (b) That the permittee shall comply promptly with any lawful regulations, conditions, or instructions affecting the structure or work herein approved if and when issued by the Federal Water Quality Administration and/or the State water pollution control agency having jurisdiction to abate or prevent water pollution, including thermal or radiation pollution. Such regulations, conditions or instructions in effect or hereafter prescribed by the Federal Water Quality Administration and/or the State agency are hereby made a condition of this permit.
- (c) That the permittee will maintain the structure herein approved in good condition in accordance with the approved plans.
- (d) That this permit may at any time be modified by authority of the Secretary of the Army if it is determined that, under existing circumstances, modification is in the public interest.* The permittee, upon receipt of notice of modification, shall comply therewith as directed by the Secretary of the Army or his authorized representative.
- (e) That this permit may be revoked by authority of the Secretary of the Army if the permittee fails to comply with any of its provisions or if the Secretary determines that, under the existing circumstances, such action is required in the public interest.*
- (f) That any modification or revocation of this permit shall not be the basis for a claim for damages against the United States.
- (g) That the United States shall in no way be liable for any damage to any structure or work herein approved which may be caused by or result from future operations undertaken by the Government in the public interest.
- (h) That no attempt shall be made by the permittee to forbid the full and free use by the public of all navigable waters at or adjacent to the structure or work herein approved by this permit.
- (i) That if the display of lights and signals on any structure or work herein approved is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard, shall be installed and maintained by and at the expense of the permittee.
- (j) That the legal requirements of all Federal agencies be met.
- (k) That this permit does not approve particular structures, the authorization or approval of which may require action by the Congress or other agencies of the Federal Government.
- (l) That all the provisions of this permit shall be binding on any assignee or successor in interest of the permittee.
- (m) That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Registrar of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

2921 7. 99 PAGE 338

(n) That no building or other structure may be erected on the fill approved by this permit unless such building or other structure is appropriately identified and described in the plans and drawings attached hereto; that buildings or other structures approved by this permit, once erected, may not be significantly modified in their outward appearance or torn down and other buildings or structures erected in their place unless a modification of this permit is authorized by the Secretary of the Army or his authorized representative; and that neither the fill itself nor buildings or structures erected in accordance with the plans and drawings attached hereto may be dedicated to any different use than that contemplated at the time of issuance of this permit unless a modification of this permit is authorized by the Secretary of the Army or his authorized representative.

"A judgment as to whether or not suspension, modification or revocation is in the public interest involves a consideration of the impact that any such action or the absence of any such action may have on factors affecting the public interest. Such factors include, but are not limited to navigation, fish and wildlife, water quality, economics, conservation, aesthetics, recreation, water supply, flood damage prevention, ecosystems and, in general, the needs and welfare of the people.

BY Authority of the Secretary of the Army:

Burke W. Lee 7/25/72
BURKE W. LEE Date

John C. Hallen 7/25/72 Burke W. Lee 2/4/71
Witness Date
John C. Hallen 7/25/72
Witness COL, Corps of Engineers
District Engineer

Permittee hereby accepts the terms and conditions of this permit.

J. Palmer Gaillet Jr. 8/2/72
Permittee Date
Ch. Murphy 8-2-72 J. Palmer Gaillet Jr. 8/8/71
Witness Permittee
City of Charleston
J. Bues 8/2/72
Witness

STATE OF Delaware

BOOK 7. 99 PAGE 338

County of Orange

Personally before me appeared Robert Frederick A. Kyle, who being duly sworn, says that he saw the above named Burke W. Lee sign, seal, and as his act and deed deliver the above written permit and that he with Walter John V. McNeill witnessed the due execution thereof.

Sworn to before me, this 25th day of July A. D. 1972

Notarial Seal

Notary Public in and for
My Commission expires

ARNOLD E. FELDMAN
Notary Public State of New York
Appointed in Westchester County
Commission Expires Mar. 30, 1983

*Corps of Engineers by

STATE OF South Carolina

County of Charleston

Personally before me appeared Mrs. G. L. Murphy, who being duly sworn, says that she saw the above named J. Palmer Gaillard, Jr., sign, seal, and as his act and deed deliver the above written permit and that she with J. J. Budds witnessed the due execution thereof.

Sworn to before me, this 2nd day of August A. D. 1972

Notarial Seal

Notary Public in and for

My Commission expires

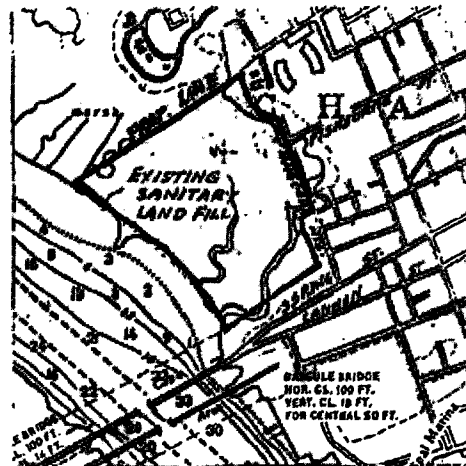
S. C.

January 1980

*City of Charleston by

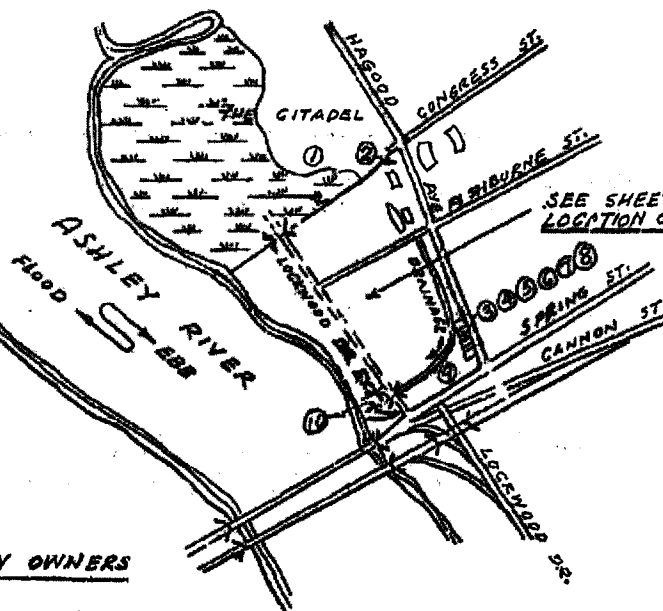
BOOK 2 99 338

1. The subject landfill was begun in 1956 and completed in July 1969. The total area involved is approximately ninety-five (95) acres.
2. The approx. top elevation of the landfill is 10.5 msl.
3. No further use of the subject property will be made as a garbage or refuse dump.
4. All perimeter ditches and the edge of the fill along the Ashley River will be cleaned of all refuse matter and their banks will be covered with non-waste-bearing earth or marsh mud. Also, the banks along the Ashley River will be protected by a layer of broken concrete, brickbats, or other similar material suitable for use as rip rap. Thickness of earth fill or the combined thickness of the earth and rip rap shall be not less than 3' in any dimension. Edge and ditch cleaning will be completed within six months from the date the permit is issued. Rip rap will be placed as it becomes available, however, not less than 500 linear feet of bank shall be completed in any one calendar year.
5. "A cover layer of non-waste bearing earth having a compacted thickness of not less than two feet (including existing earth cover) will be provided over the entire area and will be completed within five years from the date the permit is issued, subject to budgetary limitations and the availability of funds to the City of Charleston."
6. No beneficial use will be made of any portion of the property nor any structure constructed thereon without first placing the earth cover layer as described in Note 5 above on that portion of the property affected.



USC & GS 470, DATED JAN. 1968
VICINITY MAP

Charleston, South Carolina
Office of Registrar of Deeds
Faint records of this day of August 15, 1971
clock in file 4. Drawer 3. Folder 26...
copy filed in file 4. Drawer 3. Folder 26...
delivered to the Registrar of Deeds



ADJACENT PROPERTY OWNERS

1. THE CITADEL
2. S.C. NAT. GUARD ARMORY
3. FLORA W. MYERS
4. EST. OF OSCAR SOKOL
5. ATLANTIC COAST LIFE INS. CO.
6. T. R. FOSTER, JR.
7. J. L. RASIN
8. MONA G. SOKOL
9. HOWE & GARROLL
10. ATLANTIC COAST LIFE INS. CO.

EXISTING SANITARY LANDFILL
IN MARSH WEST OF HAGOOD AVE.
AND NORTH OF SPRING STREET,
AS OF JULY 1969.

COUNTY OF CHARLESTON, STATE, SC.
APPLICATION BY: CITY OF CHARLESTON
DATE: JAN. 1971 SHEET 1 OF 2

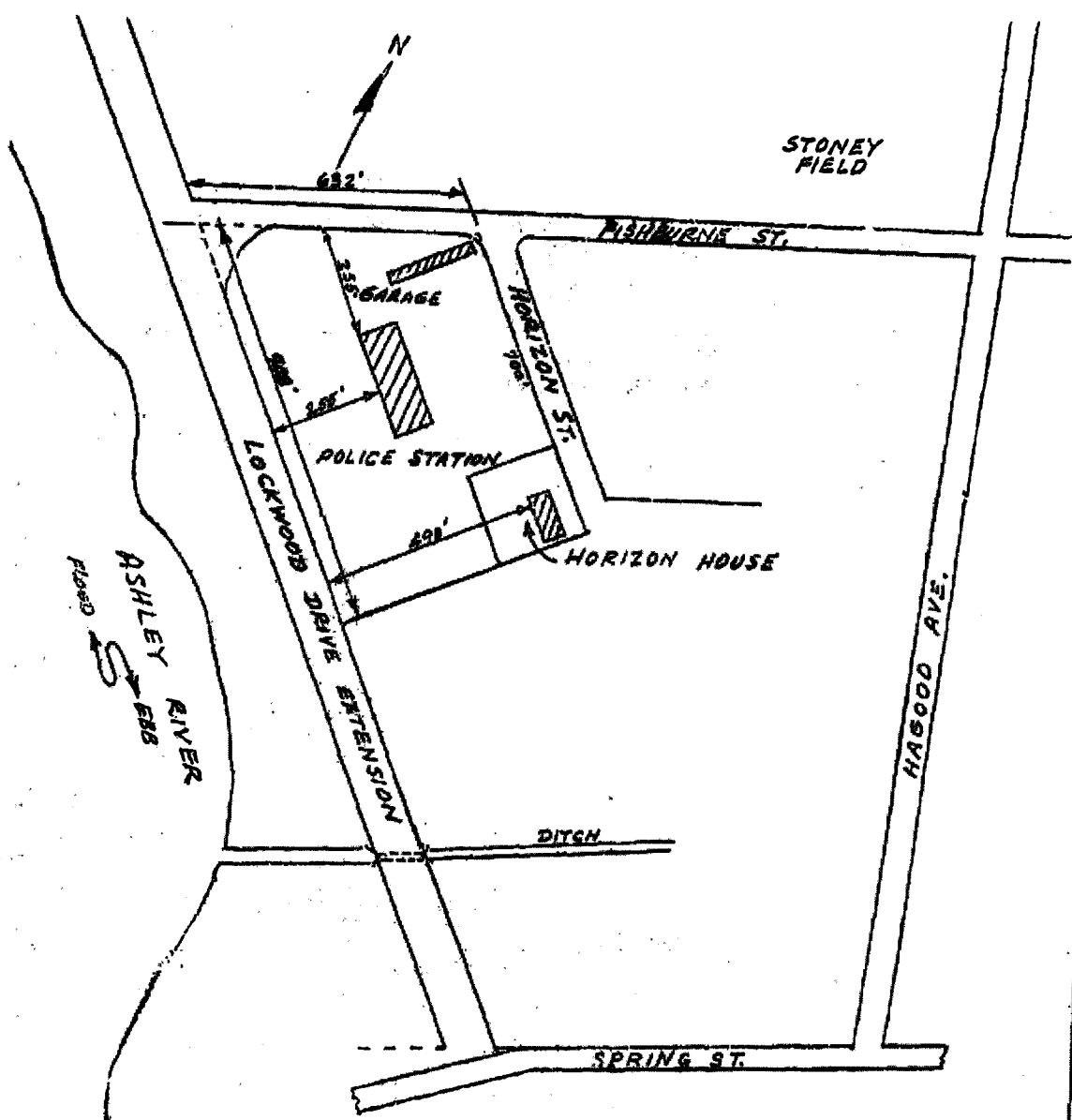
APPROVED PLAT

DATE: 8-23-72

J. L. Snowden
ACTING CITY ENGINEER
CITY OF CHARLESTON

Registered Survey Comptroller

100-289-338



PROPOSED LOCATION OF CITY
POLICE STATION AND HORIZON
HOUSE.
SCALE 1" = 300'

Charleston, South Carolina
Office of Register Means Conveyance
Plat recorded this 31st day of August 1970 at
2:45 o'clock in Plat Book 6 Page 10, and tracing cloth
copy filed in File 4 Drawer 3 Folder 36, Draw-
ing 28. Original plat (with print) delivered
to Marion Williams

SHEET 2 OF 2

Arthur H. Denton
Register Means Conveyance

Marvin Okmer.

~~4.00~~

BOOK 7. 99 PAGE 338

Plat 2.00
Plat 1.00
Plat 1.00

Q-148

43-36-31

4-3-36-32

Filed, Indexed and Recorded

Aug 31 1972 3:45

DATE

TIME

Book 399 Page 338

Robert H. Buntin

Register Mesne Conveyance

Charleston County, S. C. *Ad.*

1. The subject landfill was begun in 1956 and completed in July 1969. The total area involved is approximately ninety-five (95) acres.
2. The approx. top elevation of the landfill is 10.5 mlv.
3. No further use of the subject property will be made as a garbage or refuse dump.
4. All perimeter ditches and the edge of the fill along the Ashley River will be cleaned of all refuse matter and their banks will be covered with non-wastebearing earth or marsh mud. Also, the banks along the Ashley River will be protected by a layer of broken concrete, brickbats, or other similar material suitable for use as rip rap. Thickness of earth fill or the combined thickness of the earth and rip rap shall be not less than 3' in any dimension. Edge and ditch cleaning will be completed within six months from the date the permit is issued. Rip rap will be placed as it becomes available, however, not less than 500 linear feet of bank shall be completed in any one calendar year.
5. "A cover layer of non-waste bearing earth having a compacted thickness of not less than two feet (including existing earth cover) will be provided over the entire area and will be completed within five years from the date the permit is issued, subject to budgetary limitations and the availability of funds to the City of Charleston."
6. No beneficial use will be made of any portion of the property nor any structure constructed thereon without first placing the earth cover layer as described in Note 5 above on that portion of the property affected.

1000

1000

1000

1000

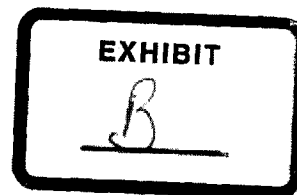
1000

1000



Catherine B. Templeton, Director

Promoting and protecting the health of the public and the environment



June 10, 2014

Mr. Michael T. Mayer, CEO
Horizon Project Foundation, Inc.
19 Hagood Ave. Suite 909J
Charleston, SC 29403

RE: Former Charleston Landfill, SCD 980 846 034

In regard to your request for an opinion on the possible re-routing of stormwater and enhancement of the landfill cap related to the proposed redevelopment of properties between Hagood Street and Lockwood Drive, the Division of Mining and Solid Waste has reviewed the Department file.

It is well established science that oxygen content and the movement of moisture through solid waste are two factors that influence the amount of methane produced. A reduction of available oxygen through maintenance and repair of the cap along with the reduction in moisture will reduce the amount of methane produced over time. Since methane represents a possible safety hazard and can cause groundwater contamination, we see the proposed stormwater improvements and additional capping associated with the proposed development as a positive.

Sincerely,

Kent M. Coleman, Director
Division of Mining and Solid Waste
Bureau of Land and Waste Management

Attached please find the following related to the drainage easements:

1. Copy of deed recorded in Book M102, Page 329, dated 7/29/73 from the City Council of Charleston to Ashley Square Limited Partnership, reserving a 20' and a 35' drainage easement (see p. 2 of deed.)
2. Copy of 1973 plat AC/59 showing the easements.
3. Copy of 1973 plat AC/114 showing the easements.
4. Copy of 1984 plat BA/119 abandoning at least a portion of the easement and substituting a new 30' easement.

2
THE STATE OF SOUTH CAROLINA

IN THE COUNTY OF CHARLESTON

GRANTEE'S ADDRESS:

MIC 2/329

WHEREAS:

SEND GREETING:

WHEREAS the City Council of Charleston heretofore advertised for bids for the sale of land owned by it consisting of approximately 13.475 acres; and

WHEREAS Ashview Enterprises, a general partnership, submitted a bid satisfactory to the City which bid was accepted by the City; and

WHEREAS the City Council of Charleston and Ashview Enterprises, a general partnership, heretofore entered into an agreement for the conveyance of the aforesaid tract and also for the exchange of certain other properties between the parties; and

WHEREAS all the rights of Ashview Enterprises, a general partnership, have been assigned to Ashley Square, a limited partnership, the Grantee herein; and

WHEREAS the City Council of Charleston and Ashley Square, a limited partnership, by the execution of this instrument and other instruments executed simultaneously herewith, wish to complete the sale of the aforesaid 13.475 acre tract and exchange of other properties;

NOW, KNOW ALL MEN BY THESE PRESENTS, That the said

CITY COUNCIL OF CHARLESTON

in consideration of the premises and also in consideration of the sum of \$310,986.00----- dollars and the premises to its in hand paid at and before the sealing and delivery of these presents by ASHLEY SQUARE, a limited partnership

(the receipt whereof is hereby acknowledged) have remise, released and forever quit-claimed, and by these presents do remise, release and forever quit-claim unto the said ASHLEY SQUARE, a limited partnership

The property set forth on Exhibit A which is attached hereto and incorporated herein by reference.

Grantees. Address:

P.O. Drawer. U

Charleston, S.C. 29402

NOTAR

E 7/29/73

R 7/31/73

MIC 2/329

on a plat by Richard C. Davis, dated July 19, 1973, entitled in part "Plat of Land Tract 'N', Labeled ABCDEFGHIJKA Containing Approximately 13.475 Acres" and recorded in the R.M.C. Office for Charleston County in Plat Book AC, Page 57.

Said property is more particularly described according to said plat as follows:

BEGINNING at a point on the Eastern side of Lockwood Drive 41.35 feet North of the center line of a 35 foot-wide drainage easement hereinafter described, designated as Point "A" on the plat hereinabove referred to, and proceeding thence N 61° 44' E 649.84 feet to Point "B" on said plat; thence on a line bearing N 39° 48' E 97.18 feet to Point "C" on said plat; thence on a line bearing N 24° 03' W 105.74 feet to Point "D" on said plat; thence N 13° 07' W 295.34 feet to Point "E" on said plat; thence on a line bearing N 23° 24' E 77.38 feet to Point "F" on said plat; thence on a line bearing N 60° 36' E 61.68 feet to Point "G" on said plat; thence N 68° 46' E 93.04 feet to Point "H" on said plat; thence N 21° 31' W 172.04 feet to Point "J", on the South side of Line Street 60 ft. right-of-way, on said plat; thence S 65° 16' W 668.57 feet along the South side of said Line Street to Point "K" on said plat, being at the intersection of Line and Horizon Streets; thence S 44° 30' W 574.80 feet to a point marked "L" on said plat on the eastern side of Lockwood Drive 120 ft. right-of-way; thence S 45° 33' E 527.98 feet along the eastern side of the Lockwood Drive to Point "A" on said plat, being the Point of Beginning, be all the said dimensions and measurements more or less. The premises above described containing 13.475 acres, more or less.

Said property being a portion of the property conveyed by Joseph M. Poulnot, Sheriff of Charleston County to the City Council of Charleston by Deed dated February 20, 1934 and recorded in Book H-36 Page 453, and quit-claimed unto the City Council of Charleston by Walter S. Wilbur by Deed dated December 6, 1972 and recorded in Book T-100, Page 222, of the R.M.C. Office for Charleston County. A portion also having been conveyed to the Grantor by James H. D. Howe et al by Deed dated April 28, 1965 and recorded in Book W-82, Page 54, said R.M.C. Office.

and W 82/55
TMS: 460-0-0-8

PARCEL 2

ALL right, title and interest of the City of Charleston in and to all real property, including all of the marsh, low land and high land, situate, lying and being in the City and County of Charleston, South Carolina, and located as follows:

South of Line Street and South of Line K-L which runs S 44° 30' W a distance of 574.80 feet from Point "K" at the intersection of the southeastern edge of Line Street with the southwestern edge of Horizon Street rights-of-way to Point "L" on the northeastern edge of Lockwood Drive as shown on the aforementioned plat of Tract N as hereinafter referred to; West of Hagood Avenue; North of Spring Street and East of Lockwood Drive, including the drainage ditch or creek known as Gadsden Creek, as will more fully appear by reference to said plat by Richard C. Davis, dated July 19, 1973 and recorded in Plat Book AC, Page 57, said R.M.C. Office, which plat is incorporated by reference, be all the dimensions and measurements shown thereon a little more or less; RESERVING, however, for drainage purposes only, a easement over that portion of the within described premises shown on the aforesaid plat as "20 ft. drainage easement" running from Hagood Avenue to 35' easement and as "25' drainage easement from Line Street to Ashley River" which

to the Grantee herein, however, the right to construct a culvert on specifications of the City of Charleston to carry the drainage contemplated to be carried within said easement area; provided, no structures shall be built upon said easement area without consent of the City of Charleston, South Carolina, its successors or assigns, whether a culvert is installed or not. The parties by agreement may relocate the within easement area in whole or in part.

TMS# 460-2-0-4
460-10-2-21

PARCEL 3

All of the right, title and interest of the City of Charleston in and to all real property, including all of the marsh, low land and high land located in the City of Charleston, South Carolina as follows:

North of the southern boundary of a strip of land now or formerly of the County of Charleston with said southern boundary extended to the channel of the Ashley River (which said strip of land extends West from Lockwood Drive to the Ashley River and is located North of Spring Street); East of the channel of the Ashley River; West of Lockwood Drive; and South of the northern boundary of a 0.405 acre tract formerly of Atlantic Coast Life Insurance Company and now of Grantee herein with said northern boundary extended to the channel of the Ashley River; RESERVING, however, an easement only for drainage 35 feet in width from the West side of Lockwood Drive to the Ashley River which said easement is more particularly located 17.5 feet on either side of the center line of the drainage ditch or creek commonly known as Gadsden Creek, all of which will more fully and at large appear by reference to the said plat by Richard C. Davis recorded in Plat Book AC, Page 59, R.M.C. Office of Charleston County.

TMS# 460-10-1-2
460-10-1-1

Parcels 2 and 3 having been conveyed to the City Council of Charleston by the following instruments:

- ✓ (1) Deed of Atlantic Coast Life Insurance Company dated April 15, 1965 and recorded in Book W-82, Page 53 of the R.M.C. office of Charleston County;
- ✓ (2) Deed of James H. D. Howe, et al, dated April 28, 1965 and recorded in Book W-82, Page 54, said R.M.C. Office;
- (3) Deed of Joseph M. Poulnot, Sheriff, dated January 20, 1934 and recorded in Book H-36, Page 53, R.M.C. Office of Charleston County;
- ✓ (4) Deed of Walter B. Wilbur dated December 6, 1972 and recorded in Book T-100, Page 222, R.M.C. Office of Charleston County;
- (5) Various acts of the Legislature of the State of South Carolina conveying title to real property to the City of Charleston, South Carolina, including those acts set forth in ENRhardt v. THE CITY OF CHARLESTON, 55 S.E. 2D 344.

...the grantee shall be
from Pine Street and Maywood Avenue or from other properties
of the grantee.

RECEIVED
MAY 15 1935
MAYWOOD DISTRICT

premises belonging or in anywise incident or appertaining:

TO HAVE AND TO HOLD all and singular the said premises before mentioned unto the said

ASHLEY SQUARE, a limited partnership, its successors, heirs

~~and assigns, forever--so that neither the said CITY COUNCIL OF CHARLESTON~~

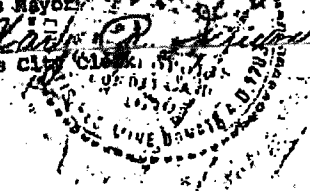
~~successors~~
~~nor its heirs, nor any other person or persons, claiming under it or them, shall at any time hereafter,~~
~~by any way or means, have, claim or demand any right or title to the aforesaid premises or appurtenances, or~~
~~any part of parcel thereof, forever.~~

Witness its hand and seal this ~~27th~~ 27th day of July
in the year of our Lord one thousand nine hundred and seventy-three and in the one hundred
and ninety-eighth year of the Sovereignty and Independence of the United States of
America.

Signed, Sealed and Delivered
in the presence of

Bella C. Meun
Marion L. Bask

CITY COUNCIL OF CHARLESTON
By: *J. Edgar Garrison* (L. S.)
Its Mayor
By: *Mark P. [illegible]* (L. S.)
Its City Clerk



THE STATE OF SOUTH CAROLINA,

CHARLESTON

County.

PERSONALLY appeared before me Sharon S. Bath

and made oath that she
CHARLESTON By: J. Palmer Gaillard, Jr.
its City Clerk

saw the within named CITY COUNCIL OF
its Mayor, By: Mary R. Wixen
sign, seal, and as their act and deed, deliver the within written

Deed; and that she with Belva C. Munn

witnessed the execution thereof.

SWORN to before me, this 27th

day of July A.D. 1973

(SEAL)

Notary Public for South Carolina
My Commission expires 9/24/80

Sharon S. Bath

THE STATE OF SOUTH CAROLINA,

County.

RENUNCIATION OF DOWER.

I,
do hereby certify unto all whom it may concern, that Mrs.

the wife of the within named.

did this day appear before me, and upon being privately and separately examined by me, did declare that she
does freely, voluntarily, and without any compulsion, dread or fear of any person or persons whomsoever, re-
nounce, release and forever relinquish unto the within named

Heirs and Assigns, all her interest and estate, and also all her right and claim of dower, of, in or to all and
singular the premises within mentioned and released.

Given under my Hand and Seal, this

day of

Anno Domini, 19

(SEAL)

Book 1117-1128
Page 1121

Arthur H. Smith
Register Maine Conveyance
Charleston County, S. C.

State of South Carolina,

QUIT-CLAIM DEED

Filed _____ day _____

of _____ A. D. 19 _____

at _____ o'clock _____ M.

and recorded in Book _____

Page _____ Fee, \$ _____

R. M. C. or Clerk Court C. P. & G. S.

County, S. C.

Recorded this _____ day _____

of _____ 1923

In Book 11721 and Page 109

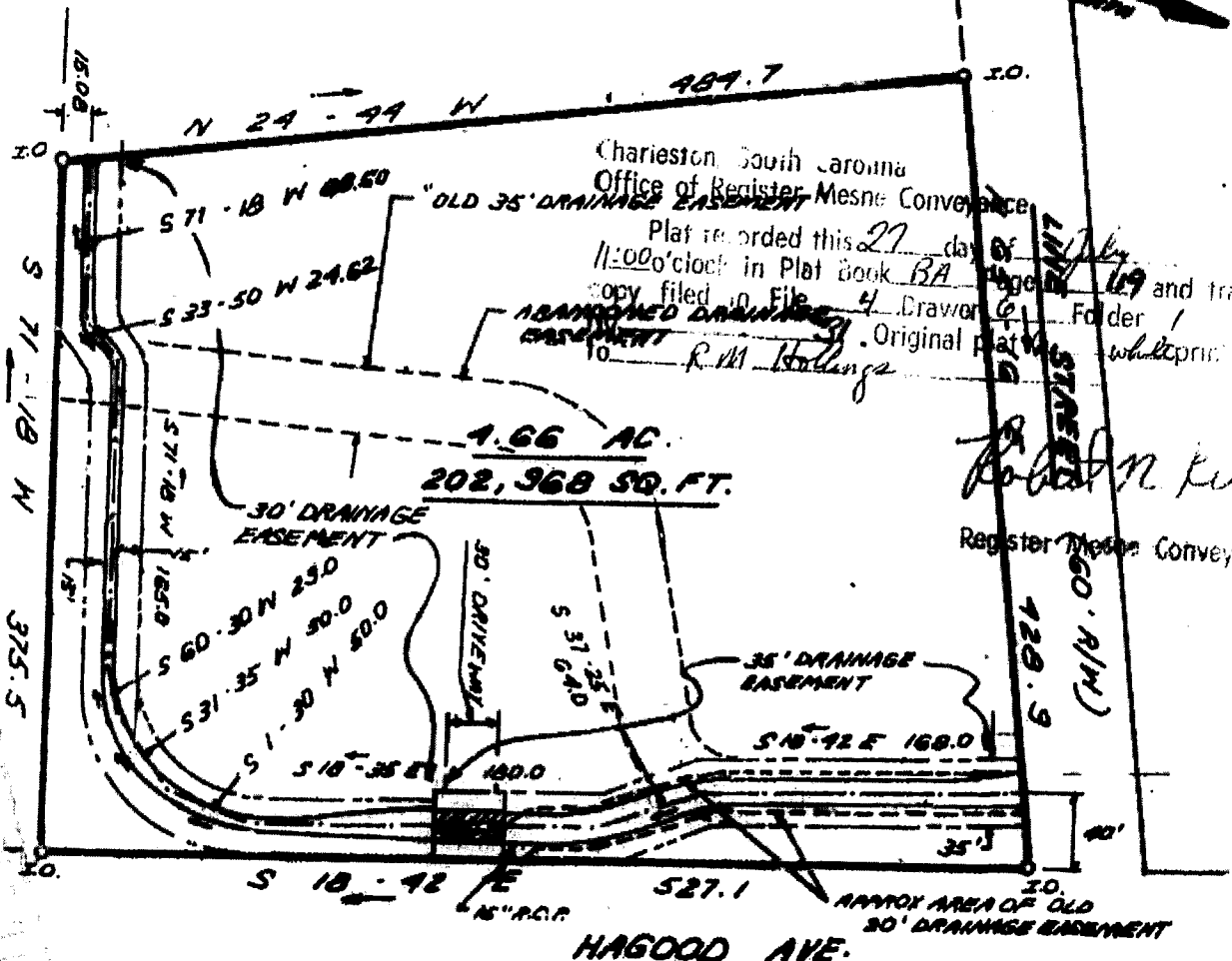
Richard J. Taylor
Recorder
Charleston, S. C.

TAILORED BY RICHARD J. TAYLOR, RECORDER, S. C.

PL 250

SHERATON HOTEL

ASHLEY SQUARE



Charleston, South Carolina
Office of Register Mesne Conveyance
Plat recorded this 27 day of May 1969 at 11:00 o'clock in Plat Book RA Page 114 and transcription filed in File 4 Drawn by Folder 1 Original plat by R.M. Holdings

Robert N. King
Register Mesne Conveyance

Robert N. King
7/26/84
84
AT
DPR

ALMAT ST.

By the approval of the City of Charleston and recordation of the within plat, the 35 foot wide drainage easement and 20 foot wide drainage easement for the former location of Gadsden Creek which are depicted on plat recorded at Plat Book AC, Page 114 are abandoned by the City of Charleston and the 30 foot wide drainage easement shown on the within plat is accepted in lieu thereof.

I HEREBY CERTIFY THAT THE RATIO OF PRECISION OF THE FIELD SURVEY IS 1:10,000 AS SHOWN HEREON AND THAT THE AREA WAS DETERMINED BY DMD METHOD.

REV. 7-24-84

**STATE OF SOUTH CAROLINA
CHARLESTON COUNTY**

**CITY OF CHARLESTON
DRAINAGE EASEMENT**

FREELAND & ASSOCIATES
Engineers • Land Surveyors
318 WEST STONE AVENUE
GREENVILLE, S.C.
(803) 271-4824

PLAT BOOK	
DEED BOOK	
TAX MAP	
PARTY CHIEF	J.C.
DRAWN	K.E.G.
DATE	5/24/84
DWG. NO.	11,140

Seal of the State of South Carolina, Department of Land and Water Resources, Surveyors, James R. Freeland, License No. 4781.

RLS: JAMES R. FREELAND
NO: 4781



THOMAS & HUTTON
Engineering | Surveying | Planning | GIS | Consulting

Letter of Transmittal

To: Tess Trumbull
SCDHEC-OCRM
1362 McMillan Avenue
Suite 400
Charleston, SC 29405

Date: January 26, 2015 JAN 27 2015
Job: Horizon District DHEC-OCRM
Re: Permit Application CHARLESTON OFFICE

WE ARE SENDING YOU THE FOLLOWING ITEMS (☐ attached) (☒ under separate cover via Bullet _____)

☐ Shop Drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of Letter ☐ Change Order ☐ Other: _____

Copies	Date	Description
1		Cover Letter
1		Permit Application Package
1		Fee Check for \$1,000.00 (check # 442367)

THESE ARE TRANSMITTED AS CHECKED BELOW:

☒ For Approval ☐ Approved as Submitted ☐ Resubmit ☐ Copies for Approval
☐ For Your Use ☐ Approved as Noted ☐ Submit ☐ Copies for Distribution
☐ As Requested ☐ Returned for Corrections ☐ Return ☐ Corrected Prints
☐ For Review and Comment _____

Remarks

Copy to Mary Shahid, Nexsen Pruet Signed _____
Ken Smoak, Sabine and Waters

Chris Magalaj, PE

MAFL

THOMAS & HUTTON

682 JOHNNIE DODDS BLVD, SUITE 100 | MOUNT PLEASANT, SC 29464
POST OFFICE BOX 1522 | MOUNT PLEASANT, SC 29465-1522
843.849.0200 | WWW.THOMASANDHUTTON.COM

RECEIVED

JAN 27 2015

DHEC - OCRM
CHARLESTON OFFICE

Tess Trumbull, Wetland Section Coordinator
SCDHEC-OCRM
1362 McMillan Avenue
Suite 400
Charleston, SC 29405

Re: HORIZON DISTRICT

Dear Mrs. Trumbull:

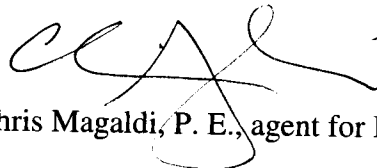
Please find enclosed a permit application and supporting documentation submitted on behalf of the Horizon Project Foundation, Inc. ("HPF") seeking authorization to restore and maintain the existing fill and cap located at the former City landfill, and future site of the Horizon District. In addition, the applicant proposes to pipe and re-route the existing drainage presently running through the former landfill site.

I'm also enclosing the application fee in the amount of \$1,000.00 made payable to the South Carolina Department of Health and Environmental Control.

On behalf of HPF, I request that OCRM grant authorization to the applicant to perform the activities described in the permit application as normal maintenance and repair. Specifically, the applicant is seeking to repair a drainage facility, by restoring and maintaining the cap at the former City landfill and by piping and rerouting the existing drainage. This is specifically exempt from the requirements of obtaining a critical area permit in accordance with S. C. Code Ann. Sec. 48-39-130.

In the even that OCRM disagrees with the applicant's characterization of the proposed activity, we would ask that you process the enclosed application in accordance with your procedures. The applicant has a separate submittal before the Charleston District Corps of Engineers, seeking authorization to conduct the activities described in the critical area permit application as either Maintenance, under NW Permit #3, or as Cleanup of Hazardous and Toxic Waste, under NW Permit # 38.

If you have any questions or need any additional information please do not hesitate to contact me.


Chris Magaldi, P. E., agent for HPF

To: Tess Trumbull
SCDHEC-OCRM
1362 McMillan Avenue
Suite 400
Charleston, SC 29405

Date: January 29, 2015
Job: Horizon District
Re: Permit Application

WE ARE SENDING YOU THE FOLLOWING ITEMS (☐ attached) (☒ under separate cover via Bullet)

☐ Shop Drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of Letter ☐ Change Order ☐ Other: _____

Copies	Date	Description
1		Stamped Permit Plans

THESE ARE TRANSMITTED AS CHECKED BELOW:

☒ For Approval ☐ Approved as Submitted ☐ Resubmit
☐ For Your Use ☐ Approved as Noted ☐ Submit
☐ As Requested ☐ Returned for Corrections ☐ Return
☐ For Review and Comment

_____ Copies for Approval
 _____ Copies for Distribution
 _____ Stamped Prints

JAN 29 2015
 DHEC-OCRM
 CHARLESTON OFFICE

Remarks

Copy to _____ Signed Chris Magaldi, PE

Re: Horizon

Trumbull, Mary

Wed 3/25/2015 11:06 AM

Sent Items

To: Ken Smoak <ksmoak@sabinc.net>;

Cc: Williams, Blair N. <WILLIABN@dhec.sc.gov>;

Bcc: Slagel, Matt J. <slagelmj@dhec.sc.gov>; Brooks, Steve <BROOKSS@dhec.sc.gov>;

Morning Ken - We do have the application in house & it has been assigned to Matt Slagel. Whoever you have previously sent information to will be able to forward it.

For public notice purposes, we have been coordinating with the Corps. It is our understanding that the Corps is still determining the proper path, whether an individual permit or nationwide permit, will be followed.

We will keep you posted as our coordination continues.

Thanks - Tess

From: Ken Smoak <ksmoak@sabinc.net>

Sent: Wednesday, March 25, 2015 10:56 AM

To: Trumbull, Mary

Subject: Horizon

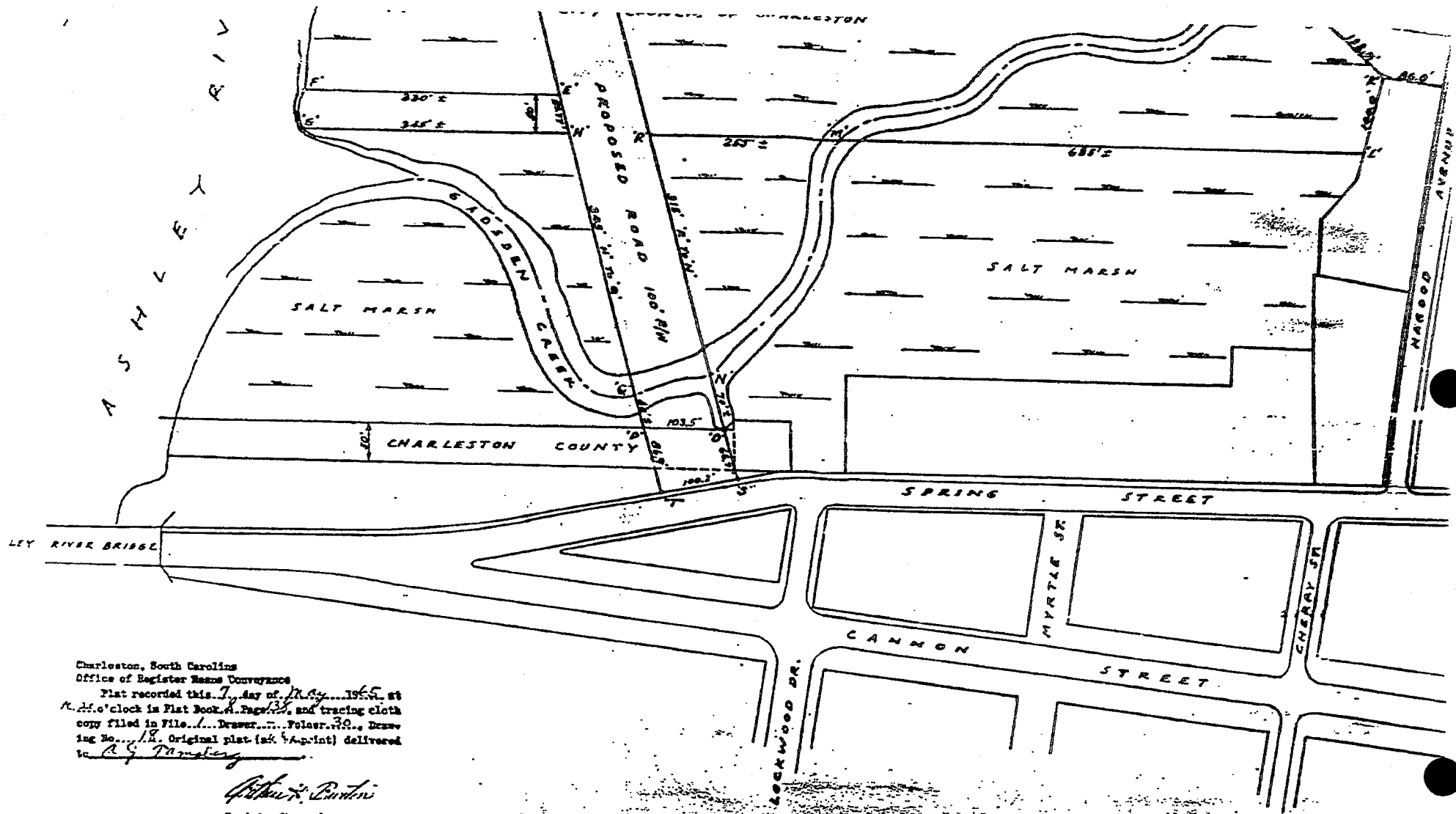
Tess, I spoke with Steve Brooks this A.M. and he said he has not been assigned as the project manager (yet) for the Horizon project, but he said that he thought OCRM was waiting for some additional info from Thomas & Hutton. I spoke with Chris Magaldi at Thomas and Hutton and he said as far as he knew the application was complete and has not been asked for additional info. Chris Magaldi had sent you an additional permit drawing Feb 3. I am working with T&H on the USACE application as well and asked Steve Brooks who gets the newspaper public notice. Steve said to send it to him and he would forward it. Will that work? As I am involved with the project I keep getting asked status and to follow up with OCRM so here I am. Has the permit gone out on public notice or can it be handled as R&M for the cap? Do you know if the PM has been assigned? Thanks, Ken

This message and any attachment are confidential and may be privileged or otherwise protected from disclosure. If you are not the intended recipient, please telephone or email the sender and delete this message and any attachment from your system. If you are not the intended recipient you must not copy this message or attachment or disclose the contents to any other person.

from Steve Brooks, 3.25.15
Prelim meeting
materials

Horizon District Location





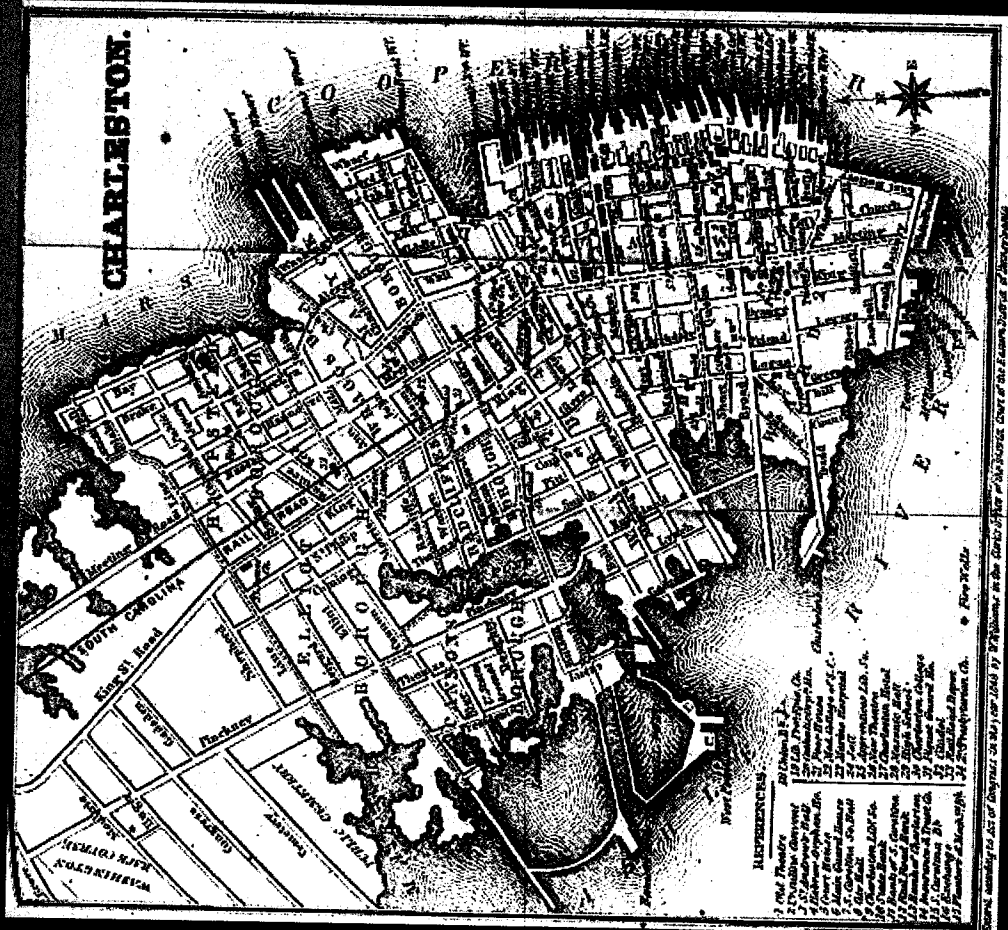
Charleston, South Carolina
Office of Register Means Conveyance
Plat recorded this 7 day of May 1965 at
11:00'clock in Plat Book A Page 38, and tracing cloth
copy filed in File 1. Drawer 30. Drawing
No. 18. Original plat (sk & print) delivered
to A. G. Dumas

Arthur J. Dumas
Register Means Conveyance

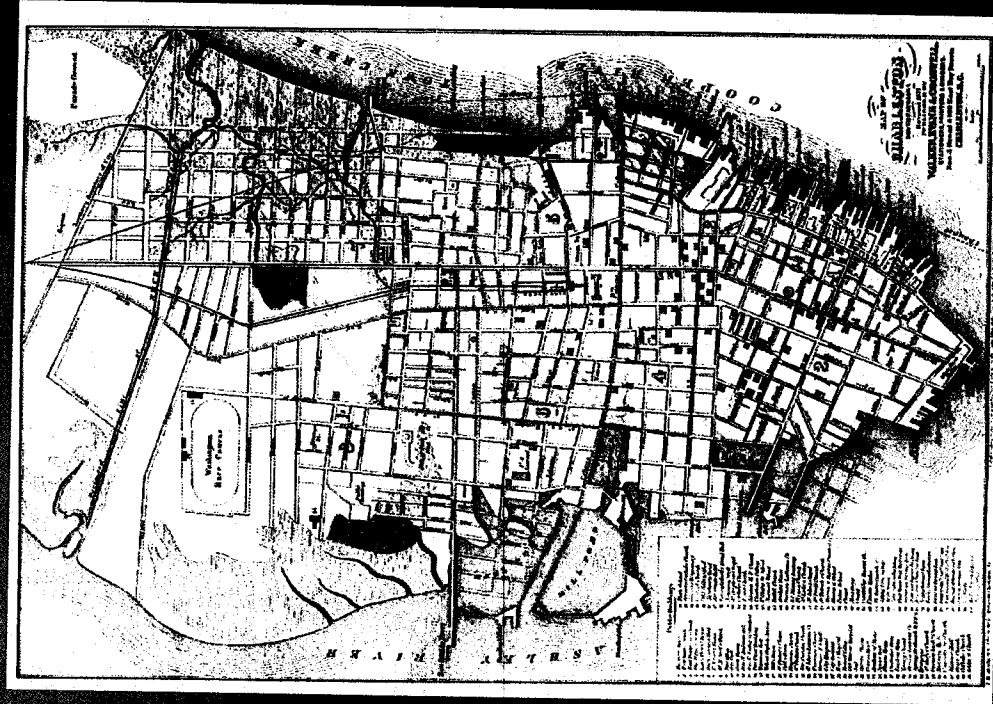
CITY ENGINEER'S OFFICE
CHARLESTON, S.C.

PLAT OF TRACT OF LAND LETTERED 'A'B'C'D' OWNED BY ATLANTIC COAST LIFE INS. CO.
ABOUT TO BE CONVEYED TO CITY COUNCIL OF CHARLESTON, S.C. AND TRACT OF LAND
LETTERED 'E'F'G'H' OWNED BY CITY COUNCIL OF CHARLESTON, S.C. ABOUT TO BE CONVEYED
TO ATLANTIC COAST LIFE INS. CO.
ALSO, TRACTS OF LAND LETTERED 'C'U'K'L'M' AND 'N'O'P'Q' OWNED BY HOWE-CARROLL ABOUT
TO BE CONVEYED TO CITY COUNCIL OF CHARLESTON, S.C. AND TRACTS OF LAND LETTERED
'M'N'R' AND 'G'H'Q' OWNED BY CITY COUNCIL OF CHARLESTON, S.C. ABOUT TO BE CONVEYED
TO HOWE-CARROLL.
ALSO, TRACT OF LAND LETTERED 'P'O'S'T' OWNED BY THE COUNTY OF CHARLESTON, S.C.
ABOUT TO BE CONVEYED TO CITY COUNCIL OF CHARLESTON, S.C.

Charleston – filled land

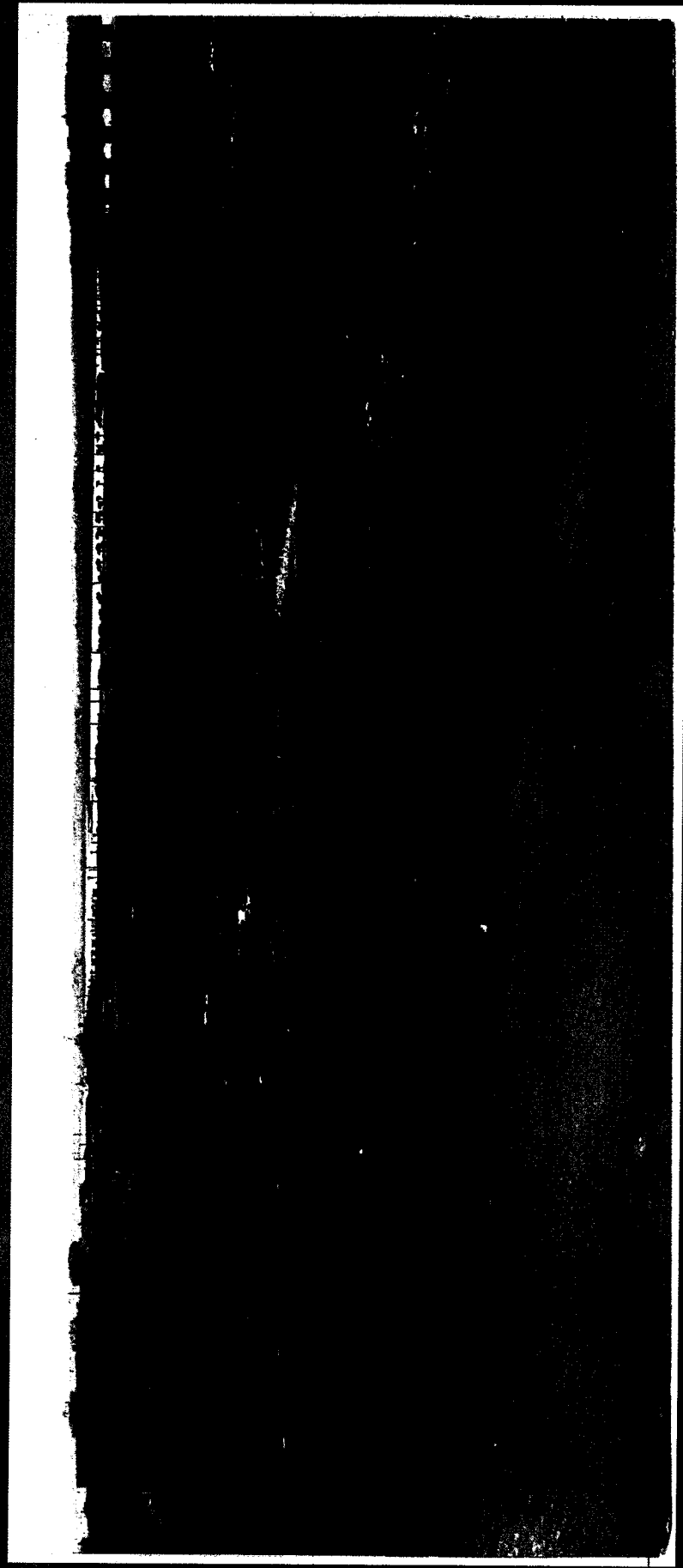


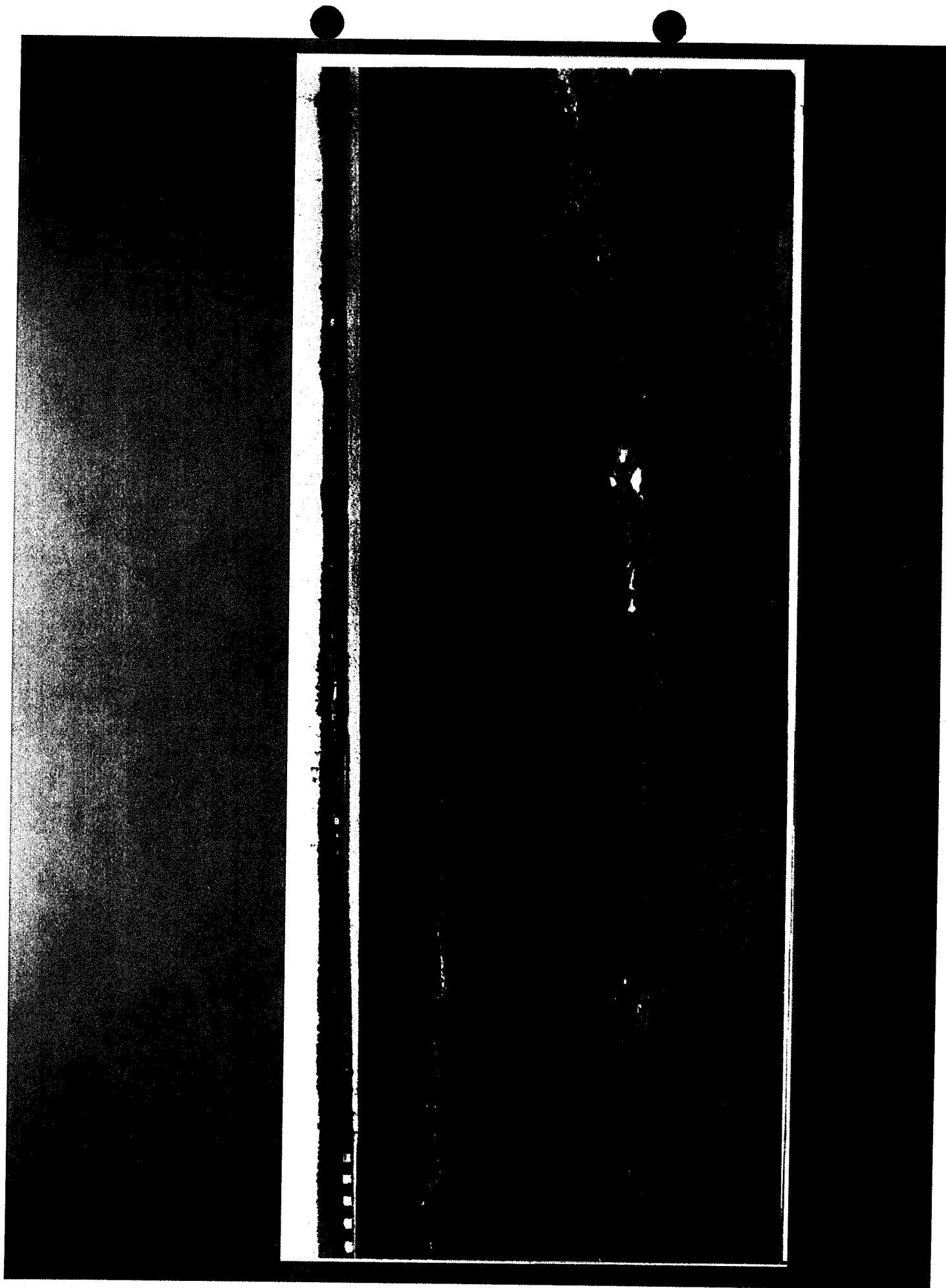
1849



1877

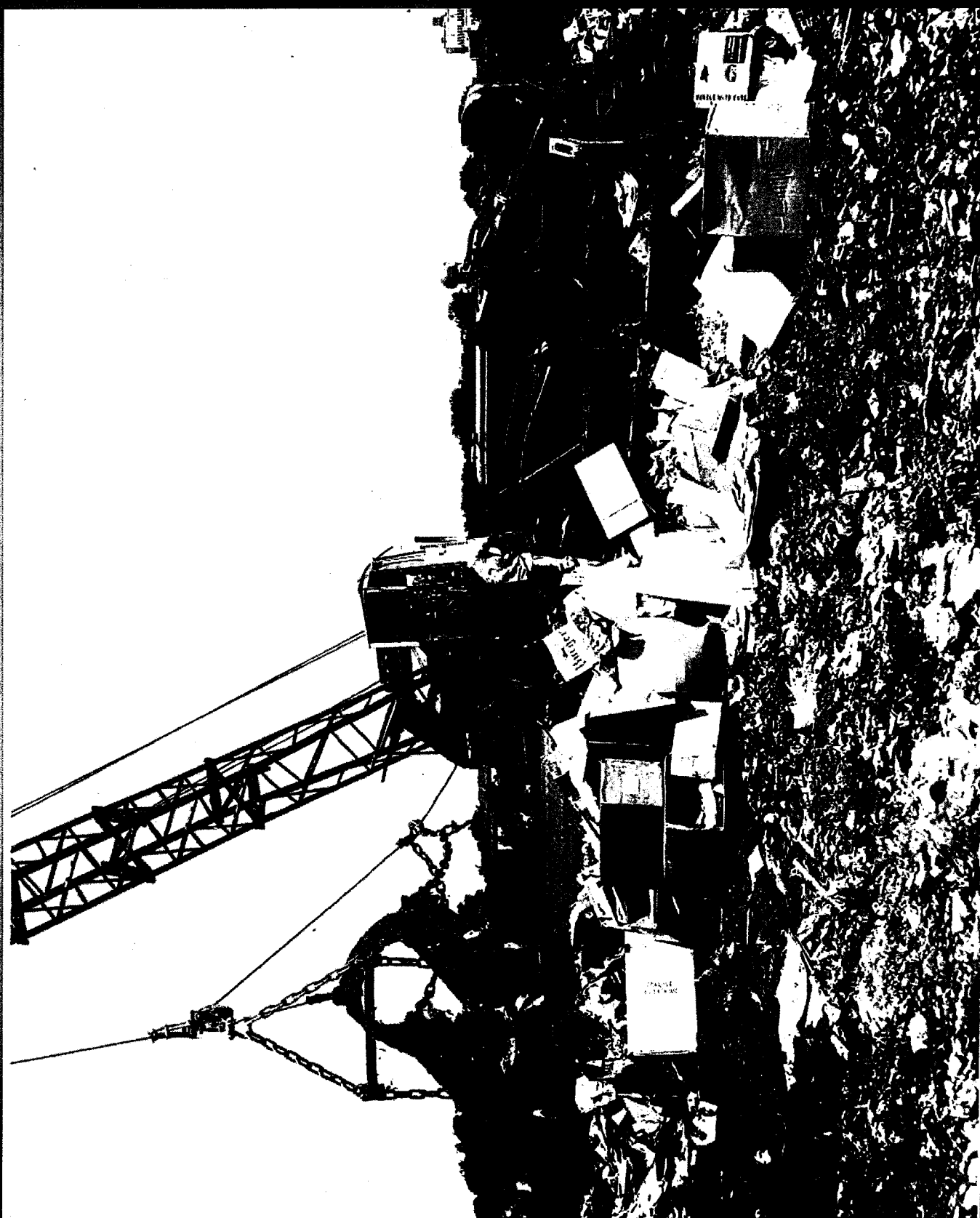
Versus landfill...





7/15/54







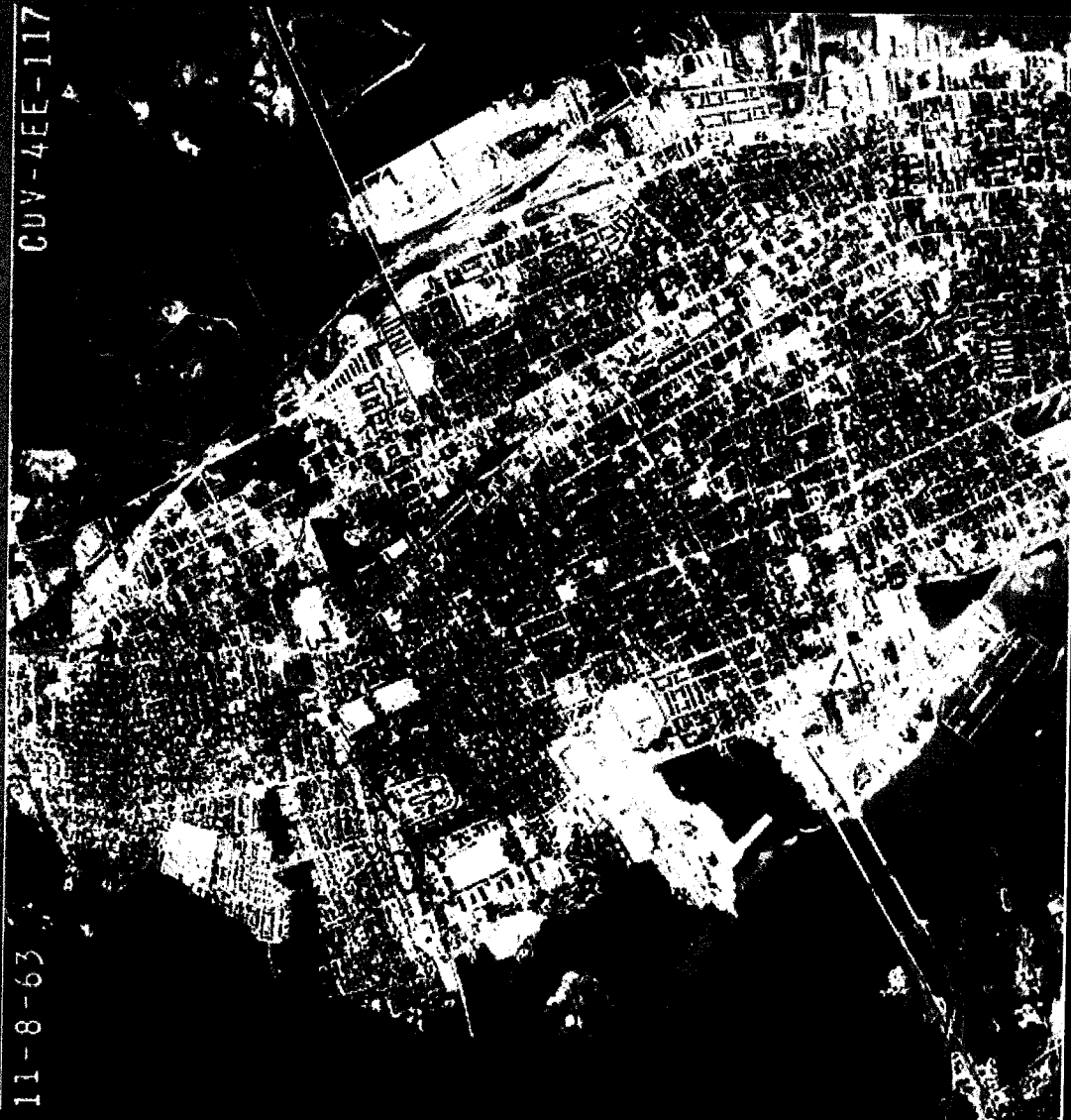
1954



1963

11-8-63

CUV-4EE-117



1973

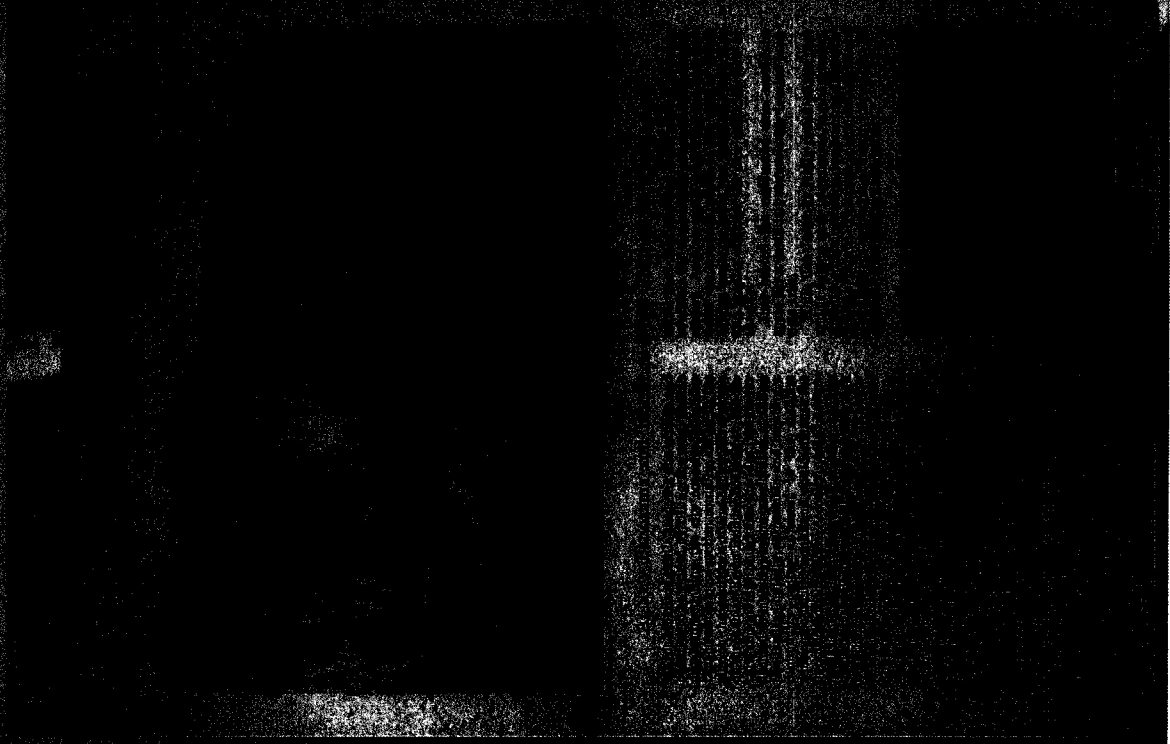
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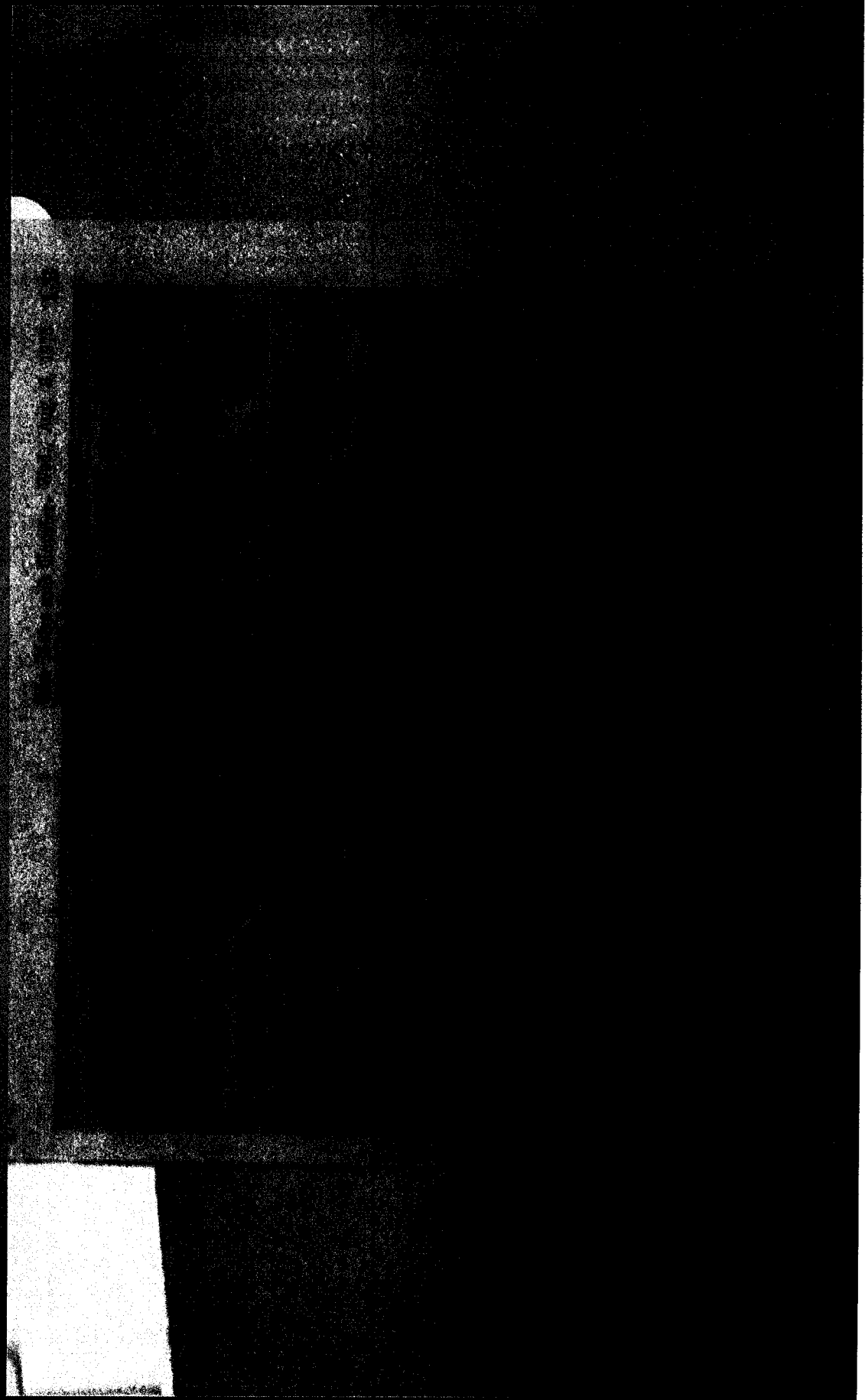
45019 173-122



News and Courier, 1964



Brittlebank Park, 1973



News and Courier, 1975



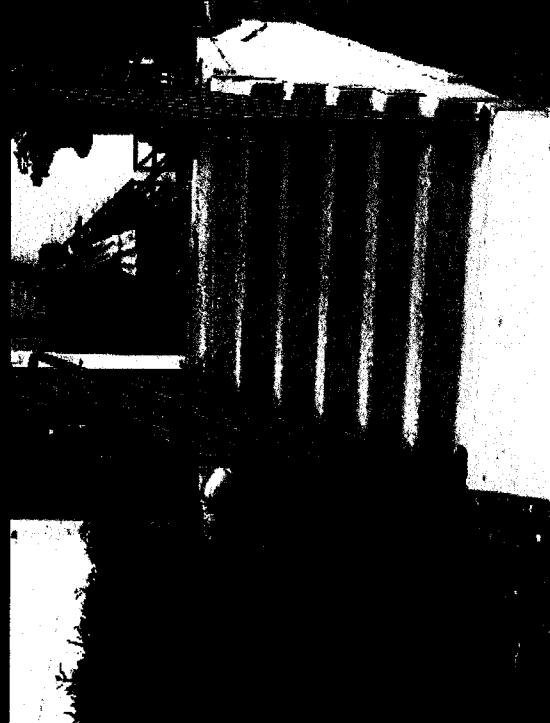
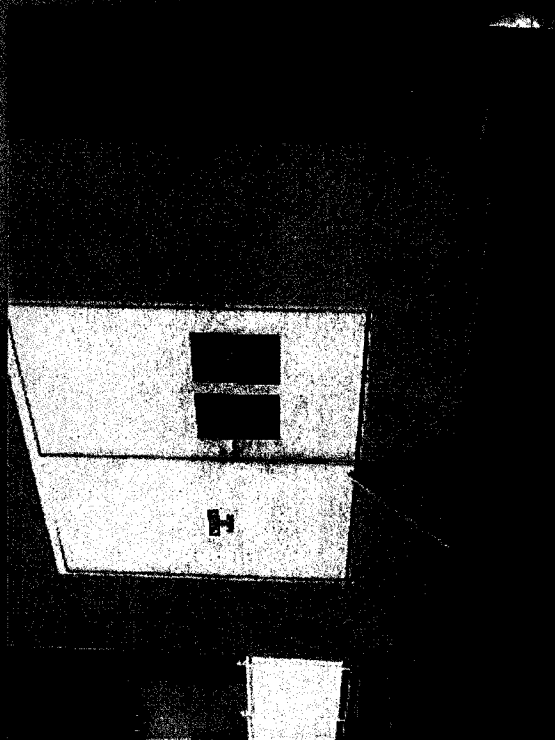
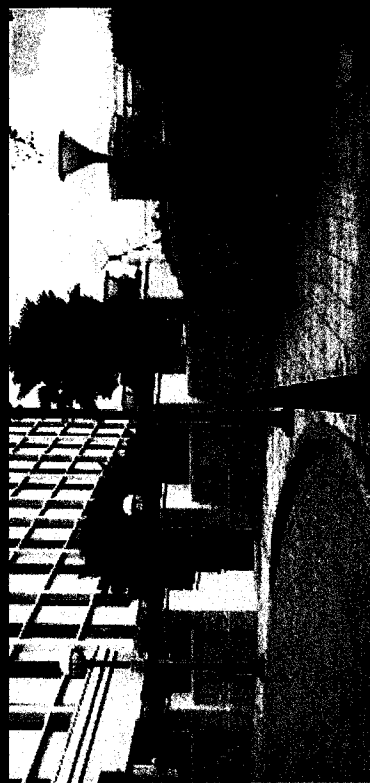
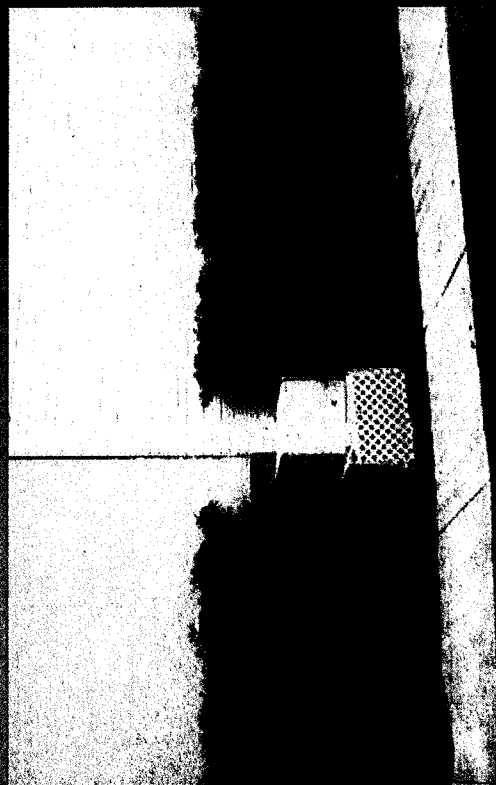
Site Research

- Environmental and Geotechnical experience at the site and surrounding properties (and other former landfills).
- City of Charleston Sanitary Landfill – approx. 1955 to 1969
- SCDHEC estimated 1.5M tons of waste (municipal, industrial, medical) in unlined trenches in the 93-ac landfill. US Army Corps of Engineers issued an “after-the-fact” closure permit (#71-02-15) on February 8, 1971.
- Former and active petroleum tanks, exposed waste material in the drainage ditches.

Driving issues

- Buried debris and elevated volatiles, semi-volatiles, metals in soil and groundwater – so avoid excavations, if possible.
- Landfill gasses, in particular methane and hydrogen sulfide.
- Geotechnical consideration for settlement and foundation design.
- Stormwater drainage.

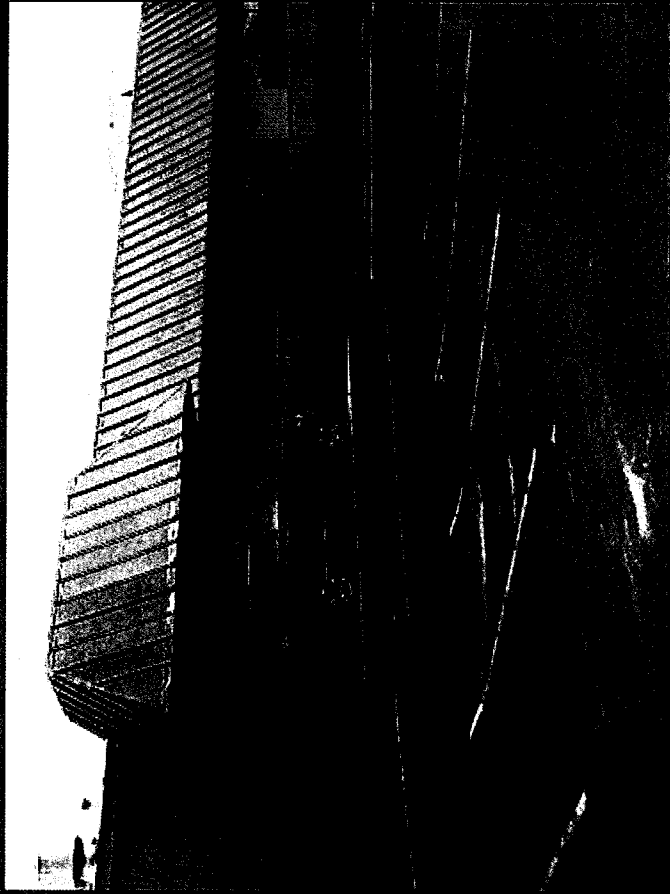
Settlement



Settlement



Settlement



Methane and Hydrogen Sulfide

- Reports of a flash fire in 1982 that injured a worker at the Sheraton (now Marriott) hotel (likely due to methane accumulation).
- Suggest design include recommendations for gas venting, monitoring, and special considerations for utility connections, subgrade vaults, etc.



DEPARTMENT OF THE ARMY

Permit #71-02-15

APPROVAL OF PLANS

BOOK 7.99 PAGE 338

SAMEY

8 FEBRUARY

1971

City of Charleston
Charleston, South Carolina 29402

District Engineer
Corps of Engineers
P. O. Box 919
Charleston, S. C. 29402

Gentlemen:

Referring to written request dated 30 April 1970
approval of the attached plans of an existing fill

for the

which has been constructed in the marsh area along the easterly shore of the
Ashley River

fill covering an area north of U. S. Highway 17 to The Citadel, Charleston
County, South Carolina.

Upon the recommendation of the Chief of Engineers, and under the provisions of Section 10
of the Act of Congress approved March 3, 1899, entitled "An act making appropriations for
the construction, repair, and preservation of certain public works on rivers and harbors, and

EX-17. 99 335

for other purposes," said plans are approved by the Secretary of the Army, subject to the following conditions:

(a) That this instrument does not convey any property rights either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to private property or invasion of private rights, or any infringement of Federal, State or local laws or regulations, nor does it obviate the necessity of obtaining State or local assent required by law for the structure or work herein approved.

(b) That the permittee shall comply promptly with any lawful regulations, conditions, or instructions affecting the structure or work herein approved if and when issued by the Federal Water Quality Administration and/or the State water pollution control agency having jurisdiction to abate or prevent water pollution, including thermal or radiation pollution. Such regulations, conditions or instructions in effect or hereafter prescribed by the Federal Water Quality Administration and/or the State agency are hereby made a condition of this permit.

(c) That the permittee will maintain the structure herein approved in good condition in accordance with the approved plans.

(d) That this permit may at any time be modified by authority of the Secretary of the Army if it is determined that, under existing circumstances, modification is in the public interest. The permittee, upon receipt of a notice of modification, shall comply therewith as directed by the Secretary of the Army or his authorized representative.

(e) That this permit may be revoked by authority of the Secretary of the Army if the permittee fails to comply with any of its provisions or if the Secretary determines that, under the existing circumstances, such action is required in the public interest.

(f) That any modification or revocation of this permit shall not be the basis for a claim for damages against the United States.

(g) That the United States shall in no way be liable for any damage to any structure or work herein approved which may be caused by or result from future operations undertaken by the Government in the public interest.

(h) That no attempt shall be made by the permittee to forbid the full and free use by the public of all navigable waters at or adjacent to the structure or work herein approved by this permit.

(i) That if the display of lights and signals on any structure or work herein approved is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard, shall be installed and maintained by and at the expense of the permittee.

(j) That the legal requirements of all Federal agencies be met.

(k) That this permit does not approve particular structures, the authorization or approval of which may require action by the Congress or other agencies of the Federal Government.

(l) That all the provisions of this permit shall be binding on any assignee or successor in interest of the permittee.

(m) That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Registrar of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

page 7. 99 page 338

(n) That no building or other structure may be erected on the fill approved by this permit unless such building or other structure is appropriately identified and described in the plans and drawings attached hereto; that buildings or other structures approved by this permit, once erected, may not be significantly modified in their outward appearance or torn down and other buildings or structures erected in their place unless a modification of this permit is authorized by the Secretary of the Army or his authorized representative; and that neither the fill itself nor buildings or structures erected in accordance with the plans and drawings attached herein may be dedicated to any different use than that contemplated at the time of issuance of this permit unless a modification of this permit is authorized by the Secretary of the Army or his authorized representative.

*A judgment as to whether or not suspension, modification or revocation is in the public interest involves a consideration of the impact that any such action or the absence of any such action may have on factors affecting the public interest. Such factors include, but are not limited to navigation, fish and wildlife, water quality, economics, conservation, aesthetics, recreation, water supply, flood damage prevention, ecosystems and, in general, the needs and welfare of the people.

BY Authority of the Secretary of the Army:

Burke W. Lee 7/25/72
BURKE W. LEE DATE

John C. Hallen 7/25/72 Burke W. Lee 7/4/71
Witness BURKE W. LEE Date
COL, Corps of Engineers
District Engineer

Permittee hereby accepts the terms and conditions of this permit.

J. Palmer Gaillard, Jr. 8/2/72
Permittee Date
C. D. Murphy 8-2-72 J. Palmer Gaillard, Jr. 8/8/71
Witness City of Charleston Date
3

7 99 2333

STATE OF Virginia

County of Stafford

Personally before me appeared George A. Kyle, who being duly sworn, says that he saw the above named Burke W. Lee, sign, seal, his act and deed deliver the above written permit and that he with John V. Wallace witnessed the due execution thereof. Sworn to before me, this 25th day of July A. D. 1972



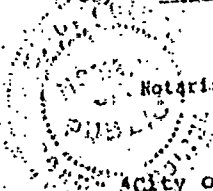
George A. Kyle
Notary Public in and for
My Commission expires August 15, 1973
APPROVED E. F. FURMAN
Notary Public State of New York
Appointed for term ending 12/31/72
Commission Expires 12/31/72

Corps of Engineers by

STATE OF South Carolina

County of Charleston

Personally before me appeared Mrs. C. L. Murphy, who being duly sworn, says that she saw the above named J. Palmer Gaillard, Jr., sign, seal, and as his act and deed deliver the above written permit and that she with J. J. Budda witnessed the due execution thereof. Sworn to before me, this 2nd day of August A. D. 1972



J. J. Budda
Notary Public in and for
Commission expires January 1980
S. C.

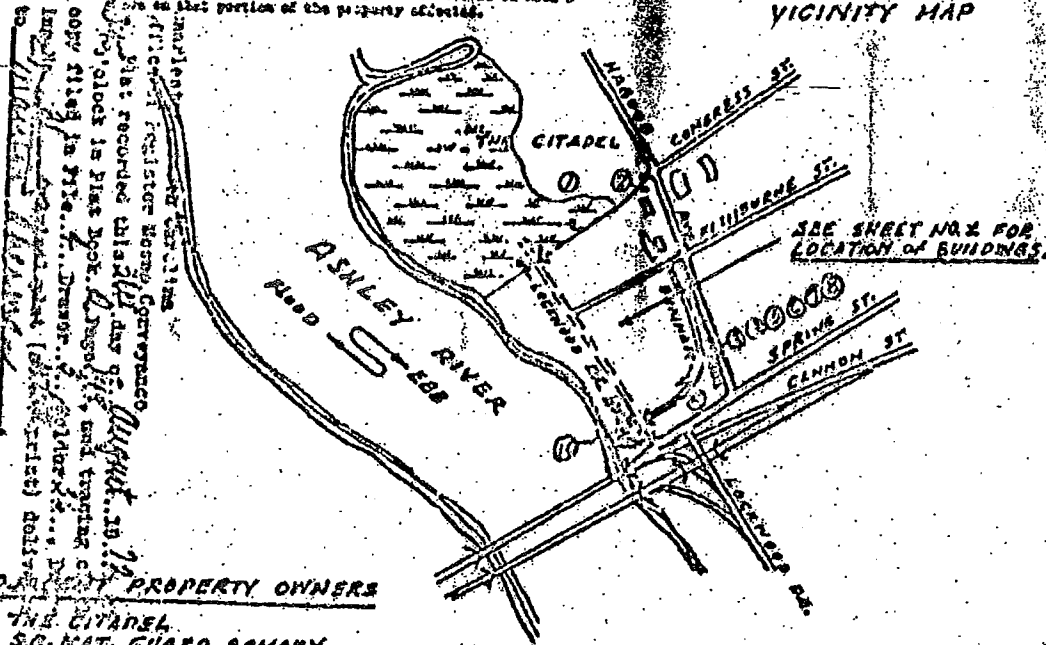
City of Charleston by

200 90 1338

1. The existing landfill was begun in 1954 and completed in July 1963. The total area involved is approximately 10.5 acres.
 2. The existing top elevation of the landfill is 10.5 feet.
 3. The existing use of the land at property will be used as a parking lot for the dump.
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USC 85 470, DATED JAN. 1968
VICINITY MAP



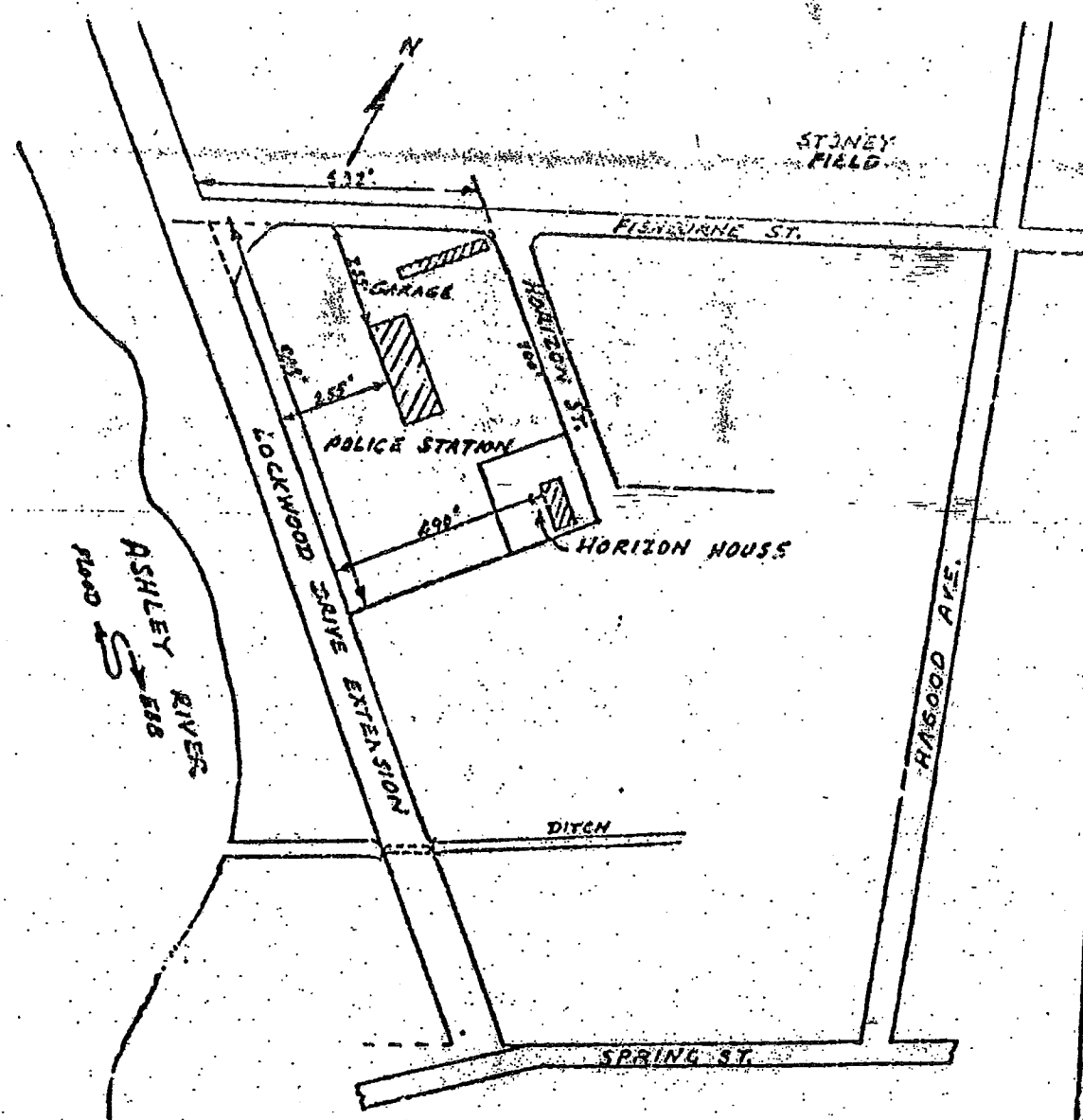
- PROPERTY OWNERS**
1. THE CITADEL
 2. S.C. NAT. GUARD ARMORY
 3. FLORA W. MYERS
 4. EST. OF OSCAR SOKOL
 5. ATLANTIC CHARTER LIFE INS. CO.
 6. T.R. FOSTER, SR.
 7. J.L. RASIN
 8. MONA G. SOKOL
 9. HEWES & CARROLL
 10. ATLANTIC CHARTER LIFE INS. CO.

EXISTING SANITARY LANDFILL
 MARSH WEST OF MAGDOOD AVE.
 AND NORTH OF SPRING STREET.
 AS OF JULY 1963.
 COUNTY OF CHARLESTON, STATE SC.
 APPLICATION BY CITY OF CHARLESTON
 DATE: JAN. 1971 SHEET 1 OF 2

APPROVED PLAT

DATE: 8-23-72
J. L. Snowden
 ACTING CITY ENGINEER
 CITY OF CHARLESTON

200-23



PROPOSED LOCATION OF CITY
POLICE STATION AND HORIZON
HOUSE.
SCALE 1"=300'

Charleston, South Carolina
Office of Register Keene Conveyance
Flat recorded this 11th day of August 1928 at
2:45 o'clock in Plat 1-2, Q. 118, and tracing cloth
of filed in File 1, Drawer 2, Folder 36, Draw
for 32. Original plat (at this date) delivered
to Mark W. Wynn

SHEET 2 OF 2

W. H. Wynn
Register Keene Conveyance

Marvin Chesser.

7/00

BOOK 7. 99 PAGE 338

2.00
Plat 1.00
Elat 1.00

Q-148

43-36-31

4-3-36-32

Filed, Indexed and Recorded

Aug 31 1972 3:45

Book 399 Page 338

Robert H. Dutton
Register Mecon Conveyance

Charleston County, S. C.
Wad.

South Carolina Department of Health - Ref. 6
and Environmental Control

2600 Bull Street
Columbia, S.C. 29201

Commissioner
Michael D. Jarrett



Board
Moses H. Clarkson, Jr., Chairman
Oren L. Brady, Jr., Vice-Chairman
Euta M. Colvin, M.D., Secretary
Harry M. Hallman, Jr.
Henry S. Jordan, M.D.
Toney Graham, Jr. M.D.

MEMORANDUM

TO: File

FROM: David W. Nix *DWN*
Site Screening Section
Bureau of Solid and Hazardous Waste Management

RE: Screening Site Inspection Visit
February 23, 1988
Charleston Landfill - SCD 980 846 034

DATE: May 19, 1988

On February 23, 1988 the writer, along with Charles S. Strange, Jr., Marianna DePratter, Helen McGill, Wayne Fanning and John Ohlandt of DHEC, conducted a Screening Site Inspection Visit at the old Charleston Landfill located on the Ashley River at U.S. Highway 17. We arrived at the site at approximately 2:30 p.m. and were met by Chuck Jarman, City Engineer, City of Charleston. The weather was clear, cool and windy. The tide was out at the time of the visit. The ground ~~water~~ was saturated from recent rains.

We made a visual inspection of the site while Charlie Strange made a videotape of the visit. The first area we visited was the northern boundary drainage ditch. The ditch separated the landfill from a fill area for construction debris still in operation (owned by the Citadel) and a salt marsh behind the Citadel. A small surface drainage ditch, running perpendicular to the northern border ditch, was cut into the surface of the landfill, exposing refuse, which was about even with the Lockwood Drive extension to the south. The small surface drainage ditch contained water that appeared to be septic, was colored red and had a steady evolution of methane gas forming bubbles in the scum coating on the surface of the water. Areas of exposed refuse could be observed to the east of this ditch in an open area that had been considered as a site for the Trident Technical College campus.

From this area we drove around the perimeter of the site to allow Charlie to film the entire area. We noticed many areas of uneven surface coverage which were probably caused by settling of the garbage dump. Some of the roads built on the site were almost impassable due to the extensive settling occurring across the landfill. Tennis courts built behind the Sheraton Hotel were useless because of the uneven surfaces due to settling.

Observation of the perimeter drainage ditches revealed small leachate streams as water flowed out of the landfill during low tide. Ponding was observed on the surface of the landfill where the ground had settled.

Memo to File
May 19, 1988

During the drive around, we stopped to look for monitoring wells installed at the site proposed for construction of the Charleston Employment Security building. We could not locate the wells. Later it was discovered that we had looked in the wrong area.

Our final stop was at the Sheraton Charleston Hotel. We obtained permission to gain access to the roof so that we could film the area from an aerial vantage point. One of the hotel maintenance workers told of an incident which resulted in a hotel employee receiving burns from a flash fire caused by the buildup of methane gas in the water meter manhole at the hotel. He also stated that the hotel was constructed so that methane gas would be vented around the perimeter of the hotel. The buildup of methane gas in the water meter manhole presents a continued danger to hotel employees or municipal workers entering it to read the water meters.

The inspection was concluded at around 5:30 p.m.

DWN:elf

RECEIVED

SEP 13 1988

DWN

S. C. Dept. of Health & Environmental
Control-Bureau of Solid & Hazardous
Waste Management

Charleston LDF
SCD 980 846 034
Charleston County

INTRODUCTION

A Cercla Sampling Inspection was conducted at Charleston LDF in Charleston County on April 21, 1988. Chris Lock, Phil Morris, Wayne Corley, Marianna DePratter and the writer conducted the sampling inspection. Robert Pugh, Trident District assisted us with the surface water sampling.

SITE DESCRIPTION

The Charleston LDF is located at 79 degrees, 57 minutes North latitude and 32 degrees, 47 minutes, 21 seconds West longitude within the City of Charleston, South Carolina. From 1956-1969, the City of Charleston owned and operated a 95 acre landfill. The City disposed of an estimated 1.5 million tons of municipal garbage and industrial waste inside unlined trenches of unspecified dimension. The exact composition of industrial waste buried at the site is unknown.

According to the preliminary assessment, after the City discontinued operations at the Charleston LDF in 1969, they applied for a permit. The Charleston, South Carolina District office of the Corps of Engineers (COE) issued the City of Charleston the requested permit based on the following conditions. The permit required that the City discontinue any further use of the landfill as a garbage or refuse dump. They were also required to clean refuse from all perimeter ditches and the edge of the fill along the Ashley River. Another condition of the permit was to cover the banks of the Ashley River with non-water bearing earth. Additionally, the COE required the City of Charleston to cover the landfill with a minimum of 2 feet of topsoil. Prior to the issuance of the permit, the City of Charleston dumped waste in an uncontrolled manner.

The landfill location is currently a very commercial area of Charleston. Many restaurants, government office buildings, hotels and a city park (Hampton Park) inhabit the landfill site. Prior to the sampling inspection, a site reconnaissance was conducted on February 11, 1988 to assist us with the development of the work plan. A video of the landfill area was taken from the roof of the Sheraton-Charleston Hotel for future reference. The individual from the engineering department of the Sheraton-Charleston Hotel who escorted us to the roof mentioned that a worker injury had occurred approximately 6 years ago from a flash fire resulting from the build-up of methane gas in a confined space at the hotel premises. Apparently, the flash fire occurred while a worker was reading a water meter located in an underground vault outside the Northeast corner of the building. Prior to the worker injury at the Sheraton-Charleston Hotel occurring, Howard Johnson construction contracted General Engineering

118-849 ?

I. INTRODUCTION/EXECUTIVE SUMMARY

The old Charleston Landfill is located on the west bank of the Ashley River at US Highway 17 on the Charleston Peninsula. The site was operated as an open dump from the mid-1950's until 1969. The dump reportedly accepted primarily domestic waste, with a small amount of industrial waste also being dumped at the site.

The landfill is bordered by the Ashley River to the west, and tidal creeks to the north, east and south. Leachate from the site has been shown to have impacted the sediments and water in the tidal creeks. This impact poses the potential for impact of marine organisms in the tidal creeks and the salt marsh to the north.

Groundwater contamination may have occurred, but because of salt water intrusion the upper aquifer is not used as a source of drinking water. The deeper aquifers that are tapped for emergency water supply by the City of Charleston are separated by over 1000 feet of various geologic formations, the uppermost of which is the relatively impermeable Cooper Formation. Because of the great depth of the aquifers and the location of the Cooper Formation (as a confining layer), the potential for contamination of emergency drinking water supplies is negligible.

Methane gas production by the decaying debris has necessitated that buildings on site be constructed with vent systems to prevent buildup of methane gas in the buildings. One incident of a methane gas explosion and flash fire in an underground vault containing water meters for the Sheraton Charleston Hotel has been reported.

Because of the potential for adverse impact on the marine ecosystem from leachate, the site is given a Low Priority for a Listing Site Inspection (LSI) to allow for assessment of biological parameters.

II. SITE BACKGROUND AND HISTORY

A. Ownership History

Owner: City of Charleston
80 Broad Street
Charleston, SC 29402

Operator: Same as owner

Direct Inquiries to: Chuck Jarman, City Engineer
City of Charleston
80 Broad Street
Charleston, SC 29402

B. Site Description

The old Charleston Landfill (CLF) is located on the east bank of the Ashley River, bounded by U.S. Highway 17 to the south, Hagood Avenue to the east and salt marsh to the north. The site covers approximately 95 acres in downtown Charleston. The coordinates for the site are latitude 32 degrees, 47 minutes, 21.0 seconds and longitude 079 degrees, 57 minutes, 57.0 seconds (Ref. 1).

C. Regulatory History/RCRA Summary

When the City of Charleston closed out the landfill in 1969, they applied for an "After-the-Fact" permit with the Army Corps of Engineers (COE) Charleston District Office (Ref. 3). The COE issued the After-the-Fact permit (#71-02-15) on February 8, 1971 with the following conditions to be met in order to validate the permit (Ref. 3).

1. The subject landfill was begun in 1956 and completed in July 1969. The total area involved is approximately ninety-five (95) acres.
2. The approximate top elevation of the landfill is 10.5 feet above mean sea level.
3. No further use of the subject property will be made as a garbage or refuse dump.
4. All perimeter ditches and the edge of the fill along the Ashley River will be cleaned of all refuse matter and their banks will be covered with non-waste bearing earth or marsh mud. also, the banks along the Ashley River will be protected by a layer of broken concrete, brickbats, or other similar material suitable for use as rip rap. Thickness of the earth fill or the combined thickness of the earth and rip rap shall not be less than three (3) feet in any dimension. Edge and ditch cleaning will be completed within six months from the date the permit is issued. Rip rap will be placed as it becomes available, however, not less than 500 linear feet of bank will be completed in any one calendar year.
5. "A cover layer of non-waste bearing earth having a compacted thickness of not less than two feet (including existing earth cover) will be provided over the entire area and will be completed within five years from the date the permit is issued, subject to budgetary limitations and the availability of funds to the City of Charleston."
6. No beneficial use will be made of any portion of the property, nor any structure constructed thereon, without first placing the earth cover layer as described in Note 5 above on that portion of the property affected.

In June of 1972, W.R. Davis, Chemist with the Industrial and Special Studies Branch EPA Region IV, conducted an inspection of the closed-out CLF, noted several problems and collected four samples from drainage ditches (Ref. 3). The first problem noted was the lack of adequate cover,

with bare areas apparent. He also noted that a sewer line had been installed in a ditch dug through the refuse with water running out of the fill into a small tidal stream flowing parallel with Hagood Street. Mr. Davis then discussed the results of the four water samples taken at the time of his inspection. Because of the nature of the results Mr. Davis determined that the Charleston Landfill was a source of pollution and made the statement that "the leachate from the Charleston Landfill is a definite threat to water quality in the Ashley River in the vicinity of the landfill."

The problems identified in 1972 were apparently never corrected because, in a 1980 inspection by personnel from the Army Corps of Engineers and DHEC, many of the deficiencies noted in 1972 were still existing with no apparent attempts having been made to abate the problems (Ref. 2). Among problems identified during this inspection were leachate from the site entering the Ashley River, erosion along drainage ditches, lack of diversion structures, evidence of improper or inadequate draining, no leachate collection system, and lack of adequate, impermeable cover material. Also noted in relation to past regulatory action was the statement that the COE referred the site to the Department of Justice for permit violations but the DOJ refused to act on the case. The inspection report also determined that the City of Charleston was not in compliance with the conditions of COE permit #71-02-15.

Since the time of the 1980 inspection a City park, Brittlebank Park, has been constructed along the east bank of the Ashley River on top of the landfill. Also, a hotel, the Sheraton Charleston has been constructed on top of a portion of the landfill. During 1980, plans were made to construct a campus for Trident Technical College (Ref. 4). However, the building was abandoned during the initial stages of construction because of settling of the landfill. The partially constructed building was razed, and no sign of the construction exists in 1988.

Apparently, the City of Charleston is still attempting to make use of the landfill property since they have offered a portion of the property along Hagood and Fishburne Streets to be used as the site for a new Employment Security Building for Charleston (Ref. 7). The use of the landfill property for office buildings is questionable since methane gas is produced in explosive concentrations (Ref. 8) and presents a hazard to occupants of buildings on the site.

The old Charleston Landfill was operated prior to RCRA regulations and was, therefore, never permitted or regulated by RCRA. The City of Charleston applied for an after-the-fact permit from the U.S. Army Corps of Engineers (COE) as settlement of legal action taken by the COE with the U.S. Justice Department in order to force the City to bring the old landfill into compliance with COE regulations regarding the filling of wetlands. The COE granted the City of Charleston Permit Number 71-02-015 on February 9, 1971. The permit contained 14 sections defining the purposes and conditions to be met by the City with regards to closing out the landfill. Condition "b" states that the City must comply promptly with all regulations, conditions or instructions affecting the structure or work

at the landfill when they are promulgated by the Federal Water Quality Administration and/or the State Water Pollution Control Agency having jurisdiction to abate or prevent water pollution, including thermal or radiation pollution, and that such regulations, conditions or instructions in effect or thereafter prescribed by the Federal Water Quality Administration and/or State agency are automatically made a condition of the permit.

This condition places the City of Charleston in the position of having to comply with all landfill regulations yet to be promulgated by State and Federal Authorities. The COE permit also puts time constraints for meeting conditions of the permit or any newly promulgated regulations. Under the conditions of the COE permit the City of Charleston would also have to comply with all South Carolina Solid and Hazardous Waste Regulations relating to landfills, as well as, all applicable Resource Conservation and Recovery Act (RCRA) and Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) regulations. Therefore, the CERCLA program is reviewing the past history of the Charleston Landfill and investigating the current status of its' impact on the environment.

D. Process and Waste Disposal History

The CLF was the site of a domestic waste landfill project from 1956 to 1969. Prior to being landfilled, the site was a tidal influenced salt marsh. The landfill reportedly accepted primarily municipal wastes with some industrial waste (Ref. 1, 2). The wastes were dumped into unlined trenches to a depth of ten to twelve feet (Ref. 1, 3). Assuming that the entire 95 acres was used for landfill with a 10 foot depth of waste (Ref. 7), then potentially there could be 13,794,000 cubic yards of waste buried at the site. The actual amount of waste may be greater or less than this calculated amount. Whatever the total amount, it is apparent that over the life of the dump (1957 to 1969) it accepted quite a large volume of municipal waste and, potentially, a significant amount of hazardous waste from industrial sources.

E. Remedial and Removal Actions

No emergency or remedial actions by State or Federal authorities have taken place relative to the old Charleston landfill. The City of Charleston, however, was charged with maintaining the closed out landfill in a manner to prevent the possibility of public exposure to buried refuse in the US Army Corps of Engineers "After-the-Fact" permit (#71-02-015, Ref. 3).

F. Demography/Regional Setting

The old Charleston landfill is located on the heavily urbanized Charleston peninsula. It is adjacent to The Military College of South Carolina, The Citadel, and the roads which run through the site are used by Citadel Cadets for running and bicycling. To the south, across US Highway 17, is the Medical College of South Carolina and the Roper Hospital. To

the east is the old city portion of the Charleston peninsula with many historic homes and buildings dating from the eighteenth century. To the west is the Ashley River which is used for recreational sailing and fishing. Across the Ashley River are Johns Island and James Island which are heavily populated urban areas.

Burke High School is located to the northeast across the intersection of Fishburne and Hagood Streets, about 500 feet from the site.

A city park, Brittlebank Park, has been built on a portion of the old landfill that borders the Ashley River.

There is no farmland located within 4-miles of the site which could be affected by hazardous conditions at the site.

III. GROUNDWATER PATHWAY

A. Regional Hydrogeology

Wells located on the Charleston peninsula penetrate deep Cretaceous aquifers which are protected from contamination by the Cooper Formation, a calcareous clay. Pleistocene sands overlying the Cooper Formation comprise a shallow water-bearing unit that is most vulnerable to contamination. This shallow water-bearing unit is not used for water supply in the Charleston peninsula (Ref. 11, p.1).

The oldest sedimentary units underlying the Charleston peninsula were deposited in the continental to inner shelf marine environments and are Late Cretaceous in age. This Cretaceous section overlies the Triassic basement and is approximately two thousand (2000) feet thick. The depositional units of the Cretaceous section are, in ascending order, the Middendorf, Black Creek and Pee Dee Formations (Ref. 11, p. 2).

Above the Pee Dee Formation lies sedimentary units which are Tertiary in age and were deposited in marginal marine to outer shelf environments. Sand, silt and clay dominate the lithology of the lower part of the section, and pure to very impure limestone dominates the upper part of the section. The depositional units of the Tertiary section are, in ascending order, the Black Mingo Formation, the Santee Limestone and the Cooper Formation (Ref. 11, p. 3).

The depth of the depositional units below mean sea level are illustrated in Appendix A, Figure 1.

The uppermost shallow water-bearing unit is approximately 20 feet thick at the site and is composed of Pleistocene sands and interbedded clays (Ref. 11, p.5).

Below the shallow water-bearing unit lies the Cooper Formation, a sandy phosphatic, dark greenish-gray marl of low intrinsic permeability. The Cooper Formation is approximately 220 feet thick at the site (Ref. 11, p. 5).

and Horizon Street, was a large amount of leaves, limbs and stumps piled up by the City of Charleston. This dumping on top of the landfill was noted to be in violation of the US Army Corps of Engineers Closure Permit #71-02-015.

B. Sample Types

The Division of Waste Assessment and Emergency Response of DHEC took samples of surface water, ground water and sediments on April 21, 1988 at the CLF in order to determine the extent and severity of any contamination present at the site (Ref. 9). A total of six samples were taken at this time, consisting of 3 surface water samples, 2 from the Ashley River (upstream and downstream) and one from the tidal influenced diversion canal near the Sheraton Charleston Hotel, one groundwater sample taken from a monitoring well (#1) at the proposed location for the new Employment Security Building, and two sediment samples from drainage ditches, one from near the Sheraton Charleston Hotel and one from near the Citadel Landfill site.

C. Analytical Results

Results from the surface water samples from the Ashley River showed no impact from the landfill leachate (Ref. 11, pg. 6-7). The surface water sample taken from the drainage ditch near the Sheraton Hotel during ebb tide did not show any impact from leachate except for elevated levels of iron and manganese (Ref. 11, pg. 6). Sample results are tabulated in Appendix A, Table 2 (surface water results).

Sediment samples from the drainage ditches were found to be within the range expected for naturally occurring constituents except for elevated levels of barium, lead and iron found in the ditch near the Citadel landfill (Ref. 11, pg. 5-6). Sample results are tabulated in Appendix A, Table 3 (sediment results).

The ground water monitoring well sampled at the proposed site of the Charleston Employment Security Building was 15.5 feet deep and was screened from 6 feet deep to 15.5 feet deep (Ref. 12). Four feet of the screen was in the landfill debris and 5.5 feet of the screen was in the dark gray clay below the fill. Analytical results from the monitoring well yielded levels of barium, iron, manganese and lead above drinking water standards (Ref. 12, pg. 2). These levels are probably due to leaching of these metals from the landfill debris. Leachate collection is expected in this monitoring well since it is screened partially in the landfill debris.

VIII. CONCLUSIONS AND RECOMMENDATIONS

The profile of metals in the monitoring well leachate sample, ditch sediments and surface water samples is consistent with leaching of metals in a domestic waste landfill. No organic compounds were identified in samples taken at the site in April of 1988. The only hazardous condition identified at the site is the production of methane gas in explosive concentrations (Ref. 8).

Groundwater contamination may have occurred, but because of salt water intrusion the upper aquifer is not used as a source of drinking water. The deeper aquifers that are tapped for emergency water supply by the City of Charleston are separated by over 1000 feet of various geologic formations, the uppermost of which is the relatively impermeable Cooper Formation. Because of the great depth of the aquifers and the location of the Cooper Formation (as a confining layer), the potential for contamination of emergency drinking water supplies is negligible.

The Charleston Landfill is located on the Ashley River with tidal creeks bordering to the north and south. Leachate has been shown to be impacting the sediments and water quality in the tidal creeks. Tidal Creeks and the associated salt marshes provide the breeding grounds for shrimp and other marine life and also provide the first link in the marine food chain. Therefore, any adverse impact upon the salt marsh and marine life associated with the marsh could have a severe impact upon the food chain and eventually the ecological balance of marine life in the Ashley River and Charleston Harbor. Because of these concerns, this site could benefit from biological analysis of shrimp, crabs, shellfish and other resident marine organisms. Such an evaluation would be beneficial in establishing the disposition of the site for CERCLA action.

This site is given a Low Priority for further action because of the areas discussed in this section. It is recommended that a Listing Site Inspection (LSI) be performed with special emphasis placed upon biological monitoring of the impact of the site on the surrounding marine habitats.



Catherine B. Templeton, Director

Promoting and protecting the health of the public and the environment

NEXSEN PRUET, LLC
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Invoice Date: 04/15/2015
Invoice Number: ZU11984-2
Invoice Amount: \$1,000.00
Program ID: 81423

Department Name: OCRM- OFFICE OF OCRM
Department Contact: LYNETTE D THOMAS
Department Phone: 843-953-0200

Qty	Description	Unit	Extended
1.00	Application fee for critical area permit - major activity	1,000.00	1,000.00
Total			\$1,000.00

South Carolina Department of Health and Environmental Control

Facility Name: NEXSEN PRUET, LLC
Program ID: 81423
Invoice Number: ZU11984-2

Amount Remitted:
\$

To ensure proper credit, please return this portion of the invoice with your payment. Please include the invoice number on your remittance. **PAYMENT DUE UPON RECEIPT. PAST DUE 30 DAYS FROM INVOICE DATE.**

SC DHEC
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NEXSEN PRUET, LLC

ATTORNEYS AND COUNSELORS AT LAW
POST OFFICE DRAWER 2426
COLUMBIA, SOUTH CAROLINA 29202

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DATE 01/26/15

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NET AMOUNT \$1,000.00

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Charleston, SC 29402

AFFIDAVIT OF PUBLICATION

The Post and Courier

State of South Carolina

County of Charleston

Personally appeared before me the undersigned advertising clerk of the above indicated newspaper published in the city of Charleston, county and state aforesaid, who, being duly sworn, says that the advertisement of

(copy attached)

appeared in the issues of said newspaper on the following day(s):

03/18/15 Wed PC
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at a cost of \$68.34
Account# 112949
Order# 1300398
P.O. Number:

Subscribed and sworn to before
me this 18th day
of March
A.D. 2015

Stephanie Kruger
advertising clerk

[Signature]
NOTARY PUBLIC, SC
My commission expires



PUBLIC NOTICE

HORIZON PROJECT FOUNDATION, INC. ("HPF"), on behalf of the City of Charleston ("City") and The Medical University of South Carolina Foundation ("MUSCF"), has applied to the U.S. Army Corps of Engineers and SCDHEC-OCRM for a permit to impact approximately four acres of jurisdictional critical area necessary to conduct maintenance activities on a previously authorized landfill cover and to pipe and to re-route stormwater runoff in an area generally bound by Spring Street, Hagood Avenue, Fishburne Street. Comments will be received by the South Carolina Department of Health and Environmental Control - Office of Ocean and Coastal Resource Management, 1362 McMillan Avenue, Suite 400, Charleston, South Carolina 29405, by April 2, 2015.

AD#1300398

RECEIVED

MAR 30 2015

DHEC - OCRM
CHARLESTON OFFICE

Andrew J. Wunderley, Esq.

Thu 4/23/2015 9:17 AM

To:

Slagel, Matt J.;

You replied on 4/23/2015 3:17 PM.

Mr. Slagel,

In public notice OCRM-15-103-J the Horizon Project proposes to fill 4.025 acres of Critical Area to construct "drainage features" in advance of redeveloping the old Charleston Landfill brownfield site. Charleston Waterkeeper is concerned because the scope of work appears to be misleading and narrowly described. In fact, the Horizon Project proposes to bury Gadsden Creek in a pipe and fill the surrounding marsh area.

At one time, Gadsden Creek was a major tidal creek system on the peninsula's west side (see attached 1918 topo map). Although smaller than it once was, the creek is still a functioning tidal system. The tide ebbs and flows and spartina, marsh periwinkles, oysters, mud minnows, and egrets are all present (see attached Gadsden Creek 1 image).

It's important to understand that the Gadsden Creek tidal system is much more than a ditch or drainage feature. I invite you walk Gadsden Creek with me and see this tidal creek system first hand. How does sometime Monday (4/27) or Tuesday (4/28) afternoon work on your end?

Regards,

Andrew

Andrew J. Wunderley, Esq.

Charleston Waterkeeper

1630 Meeting Street Road, Suite 205

Charleston, South Carolina 29405

Email: andrew@charlestonwaterkeeper.org

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