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**BUREAU OF AIR QUALITY**

Karen Lee  
State of South Carolina  
Department of Health and Environmental Control (DHEC)  
Bureau of Air Quality (BAQ)  
2600 Bull Street  
Columbia, SC 29201

March 21, 2013

RE: AVX Corporation, Myrtle Beach, SC  
Air Permit No. TV-1340-0002

Dear Ms. Lee:

This letter is in opposition to any provisions of the proposed Air Permit No. TV-1340-0002 that raises the amount of hazardous air pollutants (HAPs) and volatile organic compounds (VOCs) that AVX may emit from its facility in Myrtle Beach SC. This letter also continues opposition to any provisions from AVX 2008 Air pollution application to increase manufacturing and related hazardous air pollutants, including toluene and methanol (application no. 1340-0002). The combined effect of toxic and hazardous chemicals from AVX that are affecting the air, soil, water and groundwater in the community adjacent to AVX is substantial and should not be increased. Generally, pollution control standards should be raised in South Carolina to protect citizens from dangerous air pollution.

Moreover, a monitoring station should be required in Myrtle Beach to monitor the tons of hazardous chemicals placed in the air every year.

As stated in the SCDHEC AVX application review:

This facility is a potential major source for VOC emissions. The facility has agreed to federally enforceable operating limitations to limit its potential to emit to less than 250 tons per year for VOC emissions to avoid SC Regulations...

A warning system should be devised to alert sensitive residents and tourists who may be affected by the release of increased VOCs and HAPS that may be dangerous to their health.

As you know, in addition to review of this AVX Clean Air Act application, SCDHEC has ordered the clean up of a TCE plume (and related toxic compounds) in the TCE-affected AVX-Adjacent Community (See attached comments on Bioremediation of the AVX TCE toxic plume in Myrtle Beach, dated November 27, 2011). Toxic chemicals from the clean up (Bioremediation) are planned to enter Withers Swash in the Myrtle Beach community adjacent to AVX along its path to the Atlantic Ocean. Therefore, there are already potentially serious chemicals entering the Withers Swash in Myrtle Beach for at least the next five years as part of the bioremediation activities of AVX and SCDHEC. The AVX NPDES permit application now being reviewed (NPDES SC0047953, 13-028-

R) by SCDHEC proposes to allow the discharge of treated and untreated wastewater into Withers Swash in the community (comments attached).

Little concern to date has been shown by SCDHEC or EPA based on the combined impact of the tons of chemicals placed in the air from AVX, the TCE and other toxic chemical plume from AVX, and the use of Withers Swash as a depository for treated and untreated wastewater containing toxic chemicals.

In summary, this letter requests that an air pollution monitoring station be placed in Myrtle Beach next to the AVX facility. Without a air pollution monitoring station to determine the level of VOCs, HAPS, and other serious air pollution on the residents and tourists in Myrtle Beach there is no way to ensure that AVX is complying with the Clean Air Act on a timely basis. Reports to SCDHEC and EPA months after emissions of dangerous chemicals into the air do not help residents or tourists in managing their health. An air monitoring station in Myrtle Beach is important because a lack of ongoing and timely regulatory monitoring of manufacturing activities can be dangerous to the public as shown, for example, by the TCE plume from AVX currently located in and around the AVX facility.

This letter also opposes (1) any provisions of the proposed Air Permit No. TV-1340-0002 that raises the amount of hazardous air pollutants (HAPs) and volatile organic compounds (VOCs) that AVX may emit from its facility in Myrtle Beach SC; (2) any provisions from AVX 2008 Air pollution application to increase manufacturing and related hazardous air pollutants, including toluene and methanol (application no. 1340-0002).



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717 11<sup>th</sup> Ave. South  
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Carol Minsk, Project Manager  
DHEC-L&WM  
2600 Bull St.  
Columbia, SC 29201

November 27, 2011

Dear Ms. Minsk,

These comments are in response to your Proposed Plan cleanup of groundwater and surface water contaminated with toxic chemicals in areas surrounding AVX Corporation in Myrtle Beach, SC. In addition to the record provided by the South Carolina Department of Health and Environment (SCDHEC) in this proceeding, relevant information about the timing and type of contamination in this area from AVX can be found in the federal court case AVX Corp. v. Horry Land Company. This contamination that has existed for decades has resulted in a trichloroethylene (TCE) groundwater plume that has also entered the surface water, soil, and potentially through vapor intrusion, buildings in the area. This presents a tragedy for the residents of the City of Myrtle Beach.

According to federal court records and Sun News articles, during the past several decades at times AVX has discharged TCE and other toxic chemicals into the stream that runs through the adjacent community and into the soil and groundwater under and adjacent to its facility. The extent of the TCE plume has not been delineated and the boundaries of the contamination are unclear. The community surrounding AVX has essentially served as an externality or collateral damage to AVX's manufacturing and business activities. There has been no clean up, no compensation, no assistance from AVX to the surrounding community residents. Neither has any government agency provided any assistance. Losses sustained by residents have been their own to bear.

Initially, a supplement to SCDHEC's Proposed Plan that was not evaluated by AVX and SCDHEC is proposed here. It is recommended that given the enormity of the clean up required to eliminate the toxic elements in the groundwater, surface water, soil, and air in this community in Myrtle Beach, and the 15 year time frame proposed for clean up, AVX should offer to purchase homes affected by the contamination (within 1000 feet of a high reading – 4 times normal standards). Offers for purchase should be based on current appraised value and appraised value existing at the time the contamination was disclosed, that is 2006. Those residents desiring to accept AVX's offer of purchase should be paid by AVX the appraised value of their residence in 2006. Those choosing to remain in their homes despite clean up activities should be paid by AVX an amount equal to the difference between the 2006 appraised value and the current appraised value of their homes. Given the hundreds of millions of dollars AVX has earned during the decades its activities have resulted in contamination of the surrounding Myrtle Beach area, this proposal seems fair and reasonable. AVX could proceed with subsequent clean up work as proposed by SCDHEC with fewer residents to be affected.

If this supplement recommended above is not accepted, then the SCDHEC's "Planned Proposal for AVX Site Remediation – Operable Unit 2" clean up proposal will at least

begin the clean up process that should have begun decades ago. Of greatest importance is that SCDHEC very closely monitor the clean up work and that residents be protected from any adverse results. For example, since thousands of gallons of water will be pumped into the groundwater near the community, care should be taken to ensure that there is no flooding in the area, particularly in the stormwater pond. Assessment should be made of the soil in the streams and the stormwater pond to ensure that TCE and other toxic chemicals have not settled into the sediment. The flow of any water from the clean up to the ocean should be monitored to deter any danger to ocean life and wetlands.

Moreover, since TCE degrades to vinyl chloride and methane, care should be taken not to affect residents particularly children and elderly residents. AVX is proposing to demolish some of its old buildings and build new ones on its site; care should be taken regarding further movement of the TCE plume and other toxins currently on its site. The adverse effects of ground-level ozone in the area surrounding AVX and within the surrounding community should be closely monitored given the presence of toxic volatile organic compounds and their reaction with sunshine. Any areas that can be a danger to residents in the community should be clearly announced and delineated for residents.

Finally, taking no action to remove the contamination from the community surrounding AVX would be substantially detrimental to the residents and the Myrtle Beach community and compound the damage done to date.



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717 11<sup>th</sup> Ave. South  
Myrtle Beach, SC 29577

Bret Caswell  
SCDHEC/Bureau of Water  
2600 Bull Street, Columbia, SC 29201

March 21 , 2013

Re: Public Notice: Proposed Wastewater Discharge Renewal Permit SC0047953  
13-028-R/February 25, 2013

Dear Mr. Carwell:

These comments are in opposition to the AVX NPDES Permit (Permit #SC0047953) that proposes to use Withers Swash in Myrtle Beach to dispose of excess treated and sometimes untreated wastewater. According to court records, newspaper articles and regulatory filings and letters, AVX has used Withers Swash (stream and ponds) in Myrtle Beach, SC, as a means to dispose of toxic chemicals for decades. Withers Swash flows through the TCE (trichloroethylene) affected AVX-Adjacent Community to the Atlantic Ocean. This community through which Withers Swash traverses has hundreds of homes. No additional chemicals from treated or untreated wastewater should be discharged into Withers Swash.

As you know, SCDHEC has ordered the clean up of an AVX TCE plume (and related toxic compounds) in the TCE-affected AVX-Adjacent Community. Toxic chemicals from the clean up (Bioremediation) are planned to enter Withers Swash along its path to the Atlantic Ocean. Therefore, there are already potentially serious chemicals entering the Withers Swash for at least the next five years as part of the bioremediation activities of AVX and SCDHEC. It is incomprehensible why the Environmental Protection Agency (EPA) or SCDHEC would allow additional chemicals to enter Withers Swash from an AVX NPDES permit. (See attached comments on Bioremediation of the AVX TCE toxic plume in Myrtle Beach, dated November 27, 2011).

Little concern to date has been shown by SCDHEC or EPA based on the combined impact of the tons of chemicals placed in the air from AVX, the TCE and other toxic chemical toxic plume from AVX, and the use of Withers Swash as a depository for treated and untreated wastewater containing toxic chemicals.

The EPA website on toxic release reporting and the recent reports from SCDHEC on samples from various sites around Withers Swash make it clear that the existence and release of toxic chemicals is still occurring. Attached is a report developed from EPA based information on the AVX facility showing noncompliance with the Clean Water Act and the AVX's NPDES permit. Additional reports are available on the EPA web site.

Given the substantial negative impact of the AVX facility on the TCE-affected AVX-Adjacent Community being adversely affected by current and past operations over decades, it is incumbent on the City of Myrtle Beach, the State of South Carolina, and the

Environmental Protection Agency to make a substantial effort to improve the environment in the community affected by AVX.

Thus, it is imperative that alternatives to the current NPDES Permit #SC0047953 be considered and selected. It not clear anywhere in the record that alternatives to placing the AVX treated wastewater into a discharge point to Withers Swash have been considered by AVX and SCDHEC and EPA. There is no analysis in the record of the effect of the long term NPDES permit granted to AVX. There is no analysis in the record of the effect of the treated and sometimes untreated wastewater into Withers Swash when it enters the Atlantic Ocean. In fact, it is unclear that any analysis has been performed to determine if any alternative, including trucking the treated and untreated wastewater away from the area, has been considered.

More analysis should be performed immediately to define alternatives to the proposed wastewater discharge specified in SC0047953. In this analysis, the environmental effects of continuing to increase the toxic chemical load in this area on residents should bear substantial weight over costs that AVX must bear to dispose of the treated and untreated wastewater.

If approved, the NPDES permit should include detailed limits on the amount of effluent and toxicity. Since AVX's business plans may change over time, substantial reporting and close monitoring of its activities with respect to a Clean Water NPDES permit is essential.

Since AVX's business plans may change over time, substantial reporting and close monitoring of its activities with respect to a Clean Water NPDES permit is essential.

  
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DETAILS COMPLIANCE REPORT

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## Avx Corp Myrtle Beach - Myrtle Beach, SC - EPA Regulated Facility

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### KEY FACTS

Avx Corp Myrtle Beach located in Myrtle Beach, SC is an EPA regulated site with a current compliance status of Serious Violation(s). The facility has a population of 610 within a 3 mile radius, of which 29% are minorities

The site's last inspection took place 603 days ago. The Toxic Release Inventory for the site is 12,241 pounds.

<b>Name</b>	Avx Corp Myrtle Beach
<b>Address</b>	801 17th Avenue Myrtle Beach, South Carolina 29577
<b>County</b>	Horry
<b>Population within 3 Mile Radius</b>	610
<b>Minorities within 3 Mile Radius</b>	29%
<b>Total TRI Releases</b>	12,241
<b>Days Since Last Inspection</b>	603

#### Compliance Status from 04/09-05/12

- Q1: Significant Non-compliance
- Q2: Unknown
- Q3: Unknown
- Q4: Violation/Non-compliance
- Q5: Violation/Non-compliance
- Q6: Unknown
- Q7: Unknown
- Q8: Unknown
- Q9: Significant Non-compliance
- Q10: Significant Non-compliance
- Q11: Significant Non-compliance
- Q12: Significant Non-compliance

**Current Compliance Status** Serious Violation(s)

**Major** Yes

### CLEAN AIR ACT

**Permit Type** Major  
Other

### CLEAN WATER ACT

**SIC Codes** 3675

**Days Since Last Inspection** 1,143

#### Compliance Status from 04/09-05/12

- Q1: Significant Non-compliance
- Q2: Unknown
- Q3: Unknown
- Q4: Violation/Non-compliance
- Q5: Violation/Non-compliance
- Q6: Unknown
- Q7: Unknown
- Q8: Unknown
- Q9: Significant Non-compliance
- Q10: Significant Non-compliance
- Q11: Significant Non-compliance
- Q12: Significant Non-compliance

#### Non-compliance report from 04/09-05/12

- Q1: Effluent violations of monthly average limits (TRC and chronic)
- Q2: Unknown
- Q3: Unknown
- Q4: Unknown
- Q5: Unknown
- Q6: Unknown
- Q7: Unknown
- Q8: Unknown
- Q9: Effluent violations of monthly average limits (TRC and chronic)
- Q10: Effluent violations of monthly average limits (TRC and chronic)
- Q11: Effluent violations of monthly average limits (TRC and chronic)
- Q12: Effluent violations of monthly average limits (TRC and chronic)

**Inspections over last 5 years** 2

**Non-compliant Quarters over last 3 years** 7

**Current Compliance Status** Serious Violation(s)

**Informal Enforcement Actions over last 5 years** 6

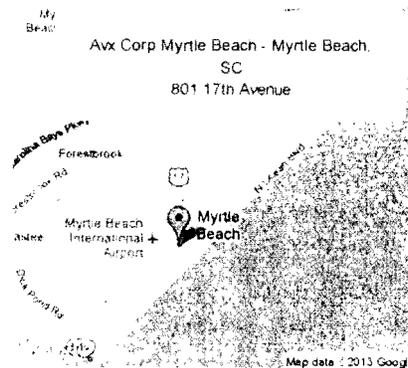
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**NAICS Codes** 334414  
325120

**SIC Codes** 3675  
2813

**Days Since Last Inspection** 603

**Inspections over last 5 years** 3

**Current Compliance Status** No Violations

**RESOURCE CONSERVATION AND RECOVERY AC**

**Permit Type** Large Quantity Generator

**NAICS Codes** 334414

**SIC Codes** 3679

**Days Since Last Inspection** 1,188

**Inspections over last 5 years** 1

**Current Compliance Status** No Violations

**OTHER MYRTLE BEACH EPA SITES**

Name	Address	Current Compliance Status
Easton Industries	550 Piedmont Ave.	No Violations
Us Air Force Myrtle Beach Air Force Base	1048 Aerodrome Boulevard	No Violations
Grand Strand Regional Medical Center	809 82nd Parkway	No Violations
Santee Cooper Electric	2003 Oak Street	No Violations
Community Medical Center South Strand	5050 Highway Bypass	No Violations

**Informal Enforcement Actions over last 5 years** 1

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