



Southern Reporting, Inc.

Transcript of the  
Deposition of

Public Hearing

8/31/2010

In Re: Johnson Controls Florence Recycling Center

COPY

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DHEC Public Hearing

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State of South Carolina )  
County of Florence )  
Notice of a Draft Hazardous Waste ) Transcript  
Permit and Public Meeting/Hearing ) of  
for the proposed Johnson Controls ) Public Hearing  
Florence Recycling Center )

The within public hearing was taken before Aminah R. Hardy, RPR, commencing at the hour of 6:52 p.m., Tuesday, August 31st, 2010, at the offices of Lowrimore Auditorium, Cauthen Media Center, Francis Marion, 4822 E. Palmetto Street, Florence, South Carolina.

Reported by  
Aminah Hardy, RPR

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<http://www.southernreporting.net>

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APPEARANCES

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S.C. Department of Health and Environmental Control:  
Nancy Whittle  
Stephen Crowell

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Speakers from the public:

Steve Vandenberg  
Dale Doty  
Jack Roach

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## P R O C E E D I N G S

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2 MS. WHITTLE: Well again, good evening. I'm going to  
3 go through just some things that we need just for  
4 the record as we go through this public hearing.  
5 It is now -- looks like about 6:55, and I'd like  
6 to start the public hearing at this point. On  
7 behalf of the South Carolina Department of Health  
8 and Environmental Control, I want to welcome you  
9 again.

10 The purpose of this hearing is to accept  
11 comments on the draft hazardous waste permit for  
12 the proposed Johnson Controls lead acid battery  
13 recycling facility located in Florence, South  
14 Carolina. Public notice of this hearing was  
15 given in newspaper and on the radio, and mailed  
16 to persons on our mailing list during the month  
17 of July 2010. I'm requesting that the court  
18 reporter include a copy of the public notice in  
19 the hearing transcript.

20 I encourage each of you to provide the  
21 information requested on the sign-in sheet so  
22 that we have a complete record of attendance this  
23 evening. You may also indicate if you wish to  
24 make an -- an oral comment tonight where all  
25 comments made at this point on will be recorded.

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1 Stephen Crowell with DHEC has already given a  
2 presentation summarizing the hazardous waste  
3 permitting process and draft permit for the  
4 proposed facility. Now is your opportunity to  
5 comment on the draft permit. In order for this  
6 hearing to be successful and allow everyone the  
7 opportunity to express their views, I will call  
8 on each person first who has indicated a desire  
9 to make a comment.

10 When you came in, you were asked if you  
11 wanted to make a comment on the sign-in sheet.  
12 There will -- you will be called on randomly.  
13 There will be no cross-examinations or  
14 question-and-answer during this hearing. We --  
15 sometimes folks ask us questions during the  
16 hearing part, and we don't answer those questions  
17 during that time, but after that, if you still  
18 have questions, we'll be willing to take those.  
19 Anyone who wishes to submit comments but does not  
20 plan to speak may submit written statements until  
21 the public comment period closes. Again, that  
22 closing date is September 24th, 2010.

23 Again, I mention that DHEC staff will be  
24 available after the public hearing if there are  
25 further questions. When you come up to make your

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1        comments, if you could please state your name for  
2        the court reporter and make your comments into  
3        this microphone. Your comments tonight should be  
4        relevant to the draft hazardous waste permit.  
5        While we are interested in any comments you have,  
6        please keep in mind that our permit decision must  
7        be based on applicable regulations and laws. If  
8        statements digress much from the intent of this  
9        meeting, I may interrupt and ask the speaker to  
10       limit his or her comments.

11                As I call your name, if you could come to  
12        the microphone and -- so again, state your name  
13        for the court reporter. And we actually have two  
14        people sign up to speak. After I call those  
15        names, I will then give anybody else in the  
16        audience who may have changed their mind the  
17        opportunity to make comments, and I hope I am  
18        pronouncing this name right. It looks like Steve  
19        Vandenberg; is that correct?

20        MR. VANDENBERG: That's correct.

21        MS. WHITTLE: Thank you.

22        MR. VANDENBERG: Absolutely correct. Again, my name  
23        is Steve Vandenberg. I live in this community.  
24        I work in this community, and one of the things  
25        that we represent in our daily activities is the

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1 attempt to work with companies that really do  
2 know what they're doing, and really do have a  
3 good, strong idea as to what it takes to build a  
4 community. I firmly believe that Johnson  
5 Controls is one of those companies. I've worked  
6 with them for several years, and feel quite  
7 comfortable with the fact that Johnson Controls  
8 is quite capable of keeping our community very  
9 safe. Hazardous waste is obviously not something  
10 anyone wants to mess with. Nobody wants to take  
11 a chance. Specifically in our community, as I  
12 live just down the road, I don't want anybody  
13 taking chances with that. It's highly regulated,  
14 it's highly controlled, and they must do  
15 everything exactly right in order to make sure  
16 they maintain their own business. They aren't  
17 going to put their business in jeopardy.

18 In working with Johnson Controls, I've come  
19 to understand that they go above and beyond  
20 whatever is necessary in order to make sure that  
21 they keep their environment safe, they keep their  
22 workers safe, and they keep their community safe.  
23 They want to be here for a long time just like  
24 the rest of us do. I would absolutely encourage  
25 the permitting of this particular facility, not

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1           only for the welfare of Johnson Controls, but  
2           also for the people in this community that need a  
3           company such as Johnson Controls here. Thank  
4           you.

5   MS. WHITTLE: Dale Doty?

6   MR. DOTY: My name is Dale Doty. Bad spelling  
7           probably.

8   MS. WHITTLE: It looked like a U.

9   MR. DOTY: Dale Doty. I live on the west side of  
10           Florence, and I'm here just because I believe  
11           that the kinds of manufacturing jobs and  
12           opportunities this plant is going to offer our  
13           community are those kind of jobs and  
14           opportunities our community needs. I think we  
15           need to be doing those things we can to encourage  
16           progressive manufacturers and operations to  
17           locate in our community. As Mr. Vandenberg -- I  
18           believe was correct -- said, these are folks that  
19           have been doing this, and know how to do this.  
20           They have put a plan together that will do this  
21           as safely as possible. I believe the state of  
22           South Carolina does have the ability and the  
23           understanding necessary to monitor this, to make  
24           sure that those safety considerations are made  
25           and continue to be made for as long as this plant

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1 is in South Carolina. I want to encourage  
2 everybody that has a concern about this to make  
3 their concerns known, no matter what they are,  
4 because I believe the State is interested in  
5 listening to the things that we have to say.  
6 This is good for the community as far as I'm  
7 concerned, and I hope that Johnson Controls  
8 remains in the community for a long term, and  
9 continues to do this and other things in the  
10 Florence area.

11 MS. WHITTLE: Those were the only two that signed in  
12 to speak. Before we close this public hearing,  
13 are there others who want to make comments? If  
14 you could come forward and just state your name  
15 and -- for the court reporter.

16 MR. ROACH: My name is Jack Roach. I live about  
17 3 miles from here south, almost due west of where  
18 this proposed facility is going to be built. I  
19 know Johnson Controls from their industry record.  
20 I spent personally 29 years in the automotive  
21 chain supply industry. I know of Johnson  
22 Controls' professional reputation as well as  
23 their respect and their reputation in the  
24 industry as being a quality company that has very  
25 good concerns for the communities that they work

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1 in. I would support this facility as well. I  
2 think we need the jobs in the Florence community  
3 that they'll bring. I think we'd be doing a  
4 disservice to our fellow citizens in the region  
5 if we don't allow this project to go forward.  
6 Thank you.

7 MS. WHITTLE: Are there any other formal comments  
8 while we have the court reporter for this  
9 particular draft permit? With that, then, this  
10 officially closes the formal comment period.  
11 Again, I want to remind you that written comments  
12 are due by September 24th, 2010.

13 (Whereupon, at 7:01 p.m., the meeting of the  
14 above-entitled matter was concluded.)

15 (\*This transcript may contain quoted  
16 material. Such material is reproduced as  
17 read or quoted by the speaker.)

18 (\*\*Certificate accompanies sealed original  
19 only.)  
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## **PUBLIC NOTICE**

South Carolina Department of Health and Environmental Control (DHEC)  
Bureau of Land and Waste Management  
2600 Bull Street  
Columbia, SC 29201  
(803) 896-4000

### **NOTICE OF A DRAFT HAZARDOUS WASTE PERMIT AND PUBLIC MEETING/HEARING**

**Johnson Controls Florence Recycling Center  
1800 Paper Mill Road  
Florence, Florence County, South Carolina  
FACILITY ID# SCR 000 771 451**

DHEC has received a new permit application for hazardous waste activities at the proposed Johnson Controls Florence Recycling Center (JCI). The permit application has been deemed complete and a draft hazardous waste permit has been written by DHEC to regulate these activities. The draft permit has been written to comply with the South Carolina Hazardous Waste Management Regulations and the Resource Conservation and Recovery Act, as amended by the Hazardous and Solid Waste Amendments.

The draft permit contains conditions for the following:

- Storage of hazardous waste;
- Identification of solid waste management units (SWMUs) and areas of concern (AOCs) at the facility and corrective action for those units, if needed;
- Waste minimization and land disposal restrictions.

**The permit application and draft permit are open for public comment from July 26, 2010 to September 24, 2010.** DHEC encourages all interested persons to participate in this permitting process.

DHEC is holding an **informal public meeting and formal public hearing** to discuss the draft permit with interested citizens. **The public meeting will begin at 6:30 p.m. on Tuesday, August 31, 2010, at the Lowrimore Auditorium, Cauthen Media Center, Francis Marion University, located at Francis Marion Drive, Florence, SC.** Directions may be obtained by calling Stephen Crowell at (803) 896-4183. At this meeting, DHEC staff will:

- Give an overview of the draft permit; and
- Hear concerns and answer questions from all interested persons.

At the conclusion of the public meeting, a **formal public hearing** will be held for interested citizens to submit oral and written comments on the record. A hearing officer designated by DHEC will conduct the hearing and comments will be taken in random order. DHEC values each participant's involvement in the public hearing and will conduct it in a respectful, orderly manner with reasonable limits on the length of oral comments, if necessary.



Individuals with disabilities who wish to participate in the hearing or review the proceedings should contact Norma West at (803) 896-4056 at least one week in advance to discuss any special aids or services needed.

**Written comments must be submitted no later than September 24, 2010 and will be accepted at the public hearing.** Comments may also be submitted to the attention of Richard Haynes at the above DHEC address or by e-mail at: [haynesra@dhec.sc.gov](mailto:haynesra@dhec.sc.gov). All written comments received by September 24, 2010 will be considered before a final permit decision is made.

**Requests to be placed on a facility mailing list for notification of future public notices by DHEC's Division of Waste Management should be made in writing to the attention of Norma West at the above DHEC address or by e-mail at: [westnj@dhec.sc.gov](mailto:westnj@dhec.sc.gov).**

The draft permit, permit application and other related information are available for review through September 24, 2010, at the DHEC Columbia Office listed above and at the following locations:

Bureau of Land and Waste Management  
8911 Farrow Road, Columbia, SC 29203  
(803) 896-4000

SC DHEC, Region 4 Office  
145 East Cheves Street  
Florence, SC 29506  
(843) 661-4825

Florence County Public Library  
509 South Dargan Street  
Florence, SC  
(843) 662-8424

The public notice, draft permit and a fact sheet about the facility may be viewed on DHEC's website at: <http://www.scdhec.gov/jci>. Please share this notice with anyone you know who may be interested in this matter.

