

## Biologist urges court to compel more sediment removal from Twelve Mile Creek

By Anna Mitchell

Wednesday, October 13, 2010

ANDERSON — A federal judge in Anderson said Wednesday that he would consider whether the Schlumberger Technology Corp. is doing all it can to clean PCB-laden sediment from a Hartwell Lake tributary in Pickens County.

Judge G. Ross Anderson heard an hour and a half of testimony Wednesday morning from retired Clemson biologist Larry Dyck on the distribution of sediment above two dams along Twelve Mile Creek and how a dredging firm working for Schlumberger could do more to identify and remove all the sediment containing polychlorinated biphenyls. PCBs are a probable cause of cancer, according to the Environmental Protection Agency.

Dyck said dredgers say they are removing sediment as close to the creek's banks as possible without causing cave-ins from the overhanging vegetation, but he argued that the removal of sediment should go way beyond the visible banks to include sandy mud that in spots has collected up to 50 feet inland.

"I think PCBs are contained within this flood-plain terrace," Dyck said.

Dyck also said high-power water jets and backhoes on barges would do a better job of getting at all the sediment lying under debris and among boulders at the bottom of the creek.

The dredgers have reported so far they can't remove all the sediment because their cutting heads, attached to vacuum hoses, could hit solid rock and cause injuries and equipment failures.

In 2009 Anderson ordered that Schlumberger remove all sediment "to the extent practicable" that has collected above the Woodside I and Woodside II dams on the creek. Ultimately, these dams will be removed, and the creek restored as closely as possible to its condition before the dams were built decades ago — that is, with water flowing freely over bedrock.

Sediment that has collected at the base of the dams has entirely filled the creek bed almost to water level.

"They are saying there's bedrock right under the shore," Dyck said. "If they know that, great, but I contend they do not know."

Dyck said a stream-restoration expert should be added to the project and borings taken along the creek's shores to show exactly where bedrock lies. Schlumberger's

plan to lay riprap over the creek's banks to stop further erosion isn't a complete solution, he said, because a high flood could get behind the riprap, scour out the sand, and send more sediment and PCBs downstream.

Twelve Mile Creek is a Hartwell Lake tributary and was contaminated with polychlorinated biphenyls from a capacitors plant in Pickens for about 30 years until the 1970s. Schlumberger purchased that plant through its acquisition of Sangamo Weston and inherited the pollution it created, too. Today, a warning against eating fish is still posted around Hartwell Lake because of the carcinogens that have collected in the fisheries.

Brad Wyche, executive director of Upstate Forever, said Schlumberger would be leaving half its work undone if it continued its current approach to the dredging.

"They intend to leave a massive quantity of sediment in the channel and bank covered up with riprap," Wyche said to the judge. "Your order talks about a free-flow channel. It's what the consent order requires, the community expects and the river needs."

Paul League, an attorney for the South Carolina Department of Natural Resources, said the collection of state and federal agencies that filed suit against Schlumberger — called the Natural Resource Trustees — feel the dredger appears to be doing a reasonable job.

"Our people have been out on the site," he said, adding that dredging further inland could cause a host of problems with landowners along the creek.

Still, he said, the agencies have not signed off on all of dredging-verification reports and are reviewing the work done at three sites.

Rita Bolt Barker, a Greenville attorney representing Upstate Forever, the Lake Hartwell Association and the Pickens County Soil and Water Conservation District, said her clients feel the agencies and attorneys appointed by the court to oversee the project do not have complete information. She said she's trying to set up a meeting with the overseers to review Dyck's work.

"We want to talk in objective terms what the data indicates," she said. "It could potentially change the trustees' opinion."

One of those overseers, Greenville attorney and retired judge Billy Wilkins, told Dyck after the hearing in Anderson that the terms of the consent decree would be difficult to expand.

Barker said her clients consider this more of an enforcement of the original consent decree rather than an expansion of it. Dyck said the additional cost to remove the sediment inland should be reasonable.

"Considering the volume already removed, this would be a fraction," he said.

Schlumberger attorney Celeste Jones was in court Wednesday but did not testify and said Dyck's information was new to her.

"Dr. Dyck has never provided me with any information," Jones said.