

Title: **DHEC says no coal ash in Pickens County**
 Author: RON BARNETT RBARNETT@GREENVILLENEWS.COM
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DHEC says no coal ash in Pickens County

RON BARNETT

RBARNETT@GREENVILLENEWS.COM

The state Department of Health and Environmental Control will not allow any coal ash from power plants to be disposed of in a landfill in Pickens County, an agency spokesman said.

The new position comes after Gov. Nikki Haley signed into law a bill that overturns DHEC's previous approval of a company's plan to put a liner in a Class 2 landfill that is designed for construction debris and other nontoxic waste, and dump tons of coal ash there. The liner MRR Pickens LLC proposed using is the same type as used in Class 3 landfills, DHEC has said.

"The new legislation requires that coal ash from facilities that produce electricity must be placed into a commercial Class 3 solid waste landfill," Robert Yanity of DHEC said. "Since MRR Pickens is a Class 2 landfill, it will not be allowed to take coal ash

from facilities that produce electricity,"

An attorney for MRR Pickens, which planned to build a landfill on State 93 near Liberty, has said the company plans to fight the law in court, arguing that it "discriminatory and unconstitutional."

State Sen. Larry Martin, one of the sponsors of the bill, said in a Facebook post Friday that he's not surprised the company is contemplating legal action to continue its effort.

"I am a bit amused by what its attorney cites as a possible cause of action and look forward to his pleadings that connects either a state law or provision in the constitution to our actions," he said. "Our bill is a well-written general state law that provides for more environmental protection for the disposal of coal ash and doesn't affect just Pickens County.

"Rest assured that we are pre-

pared to see that the law is well defended in court."

Yanity said Friday that MRR never answered DHEC's questions about where the coal ash would be coming from or how much. DHEC sent a letter to MRR on Dec. 11 asking for details after the company requested a variance that would allow it to exceed the 70,500-tons-per year limit on how much waste it could put in the landfill.

The company has sued the Pickens County and members of its Planning Commission for \$25 million, saying it will lose that much profit if not allowed to follow through with its plans. The Planning Commission had revoked MRR's land use permit and ordered it to cease work toward developing the landfill.

The county approved the landfill in 2007, with the understanding that it

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Coal ash

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would serve as a place for disposal of nontoxic waste after its Class 2 landfill is filled up, which is expected within five years.

In answering the lawsuit, an attorney representing the county said MRR failed to copy the county with all correspondence and documents the company sent to DHEC during the development phase of the landfill. Instead, it went behind the county's back to get approval for what DHEC considered a "minor permit modification" to install a liner for coal ash, he said.

DHEC has said any coal ash MRR would have been allowed to put in the landfill would be required to meet the same standard for toxicity as construc-

tion and demolition debris and materials such as stumps and other land-clearing debris.

MRR argues in a court document that coal ash "always has been allowed" under the company's Class 2 landfill permit.

It cites DHEC regulations that say acceptable Class 2 waste may be generated by "industrial, and/or manufacturing activities and/or obtained from segregated commercial waste."

It says DHEC has the authority to approve waste for Class 2 landfill disposal "on a case-by-case basis, or waste that test less than 10 times the maximum contaminant level" listed in the State Primary Drinking Water Regulation.

"CCR (Coal Combustion Residuals)

or coal ash falls within the waste characterization standard" of the safe drinking water regulation," MRR argues.

"In fact CCR or coal ash is and has been accepted in Class Two Landfills or its equivalent for nearly 25-30 years in South Carolina under SCDHEC oversight and authorization," it says.

The U.S. Environmental Protection Agency requires that coal ash be disposed of in lined landfills, although it leaves regulation to the states.

County officials, and many county residents opposed allowing the disposal of coal ash, which can contain toxic heavy metals such as lead and arsenic.

The county's solid waste management plan doesn't allow Class 3 landfills.

Title: **Army Corps passes over MB, NMB for funding**
 Author: BY AUDREY HUDSON ahudson@thesunnews.com
 Size: 111.91 square inch
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RENOURISHMENT

Army Corps passes over MB, NMB for funding

South Strand beaches get full \$16 million funding

Army Corps said needs are more urgent in Surfside, Garden City

BY AUDREY HUDSON
 ahudson@thesunnews.com

North Myrtle Beach and Myrtle Beach will not get any of the federal construction funding approved by Congress in December for beach renourishment projects.

Officials are now looking for other sources of funding that could be available through the Army Corps of Engineers to replace tons of sand swept away by last year's storms.

The last resort, concedes U.S. Rep. Tom Rice, R-Myrtle Beach, is that federal money won't be available until the next fiscal year, which would likely go toward funding the entire Grand Strand renourishment project scheduled for 2018.

"We are continuing to talk to the Army Corps of Engineers," Rice said. "There is a small amount of money left in emergency funding."

Rice was key in securing additional money in the Army Corps' national budget for shore protection, of which \$16 million was awarded by the agency headquarters in Washington to South Carolina.

The corps determined that all of

that money will be spent along Surfside Beach, Garden City Beach and a small portion of Georgetown County, which lost 332,000 cubic yards of sand during the October storms and a total of 1.7 million cubic yards of sand since the last renourishment project in 2008.

In addition to the federal funding, the project will require \$8 million from state and local funding, said Justin Powell, assistant administrator for Horry County.

North Myrtle Beach was in line for the money, citing the need to replace 1.7 million cubic yards at an estimated cost of \$26 million — \$16 million of which would come from the corps and the remainder from local and state funds, said Pat Dowling, spokesman for North Myrtle Beach. That area reported a loss of more than 240,000 cubic yards of sand from the October storms.

The city of Myrtle Beach was also up for the funding, having lost more than 117,000 cubic yards of sand in last year's storms, and more than 900,000 cubic yards since the last renourishment project in 2008.

The corps estimated the cost for that project at \$9 to \$10 million in federal funds, plus \$5 to \$6 million in state and local money.

"There is still a possibility for emergency funding for North Myrtle Beach and Garden City, in addition to the construction funding," Powell said.

Glenn Jeffries, spokeswoman for the Army Corps of Engineers in the Charleston district office, said the decision to direct all of the funding to beaches along the south end of the county was because of the risk

SEE BEACH, 5A

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WE'RE NOT GOING TO CRY OVER SPILLED MILK, WE'RE GOING TO CONTINUE TO LOOK FOR EMERGENCY FUNDING.

Pat Dowling, North Myrtle Beach spokesman

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BEACH

to infrastructure including homes, roads and utilities.

"North Myrtle Beach and Garden City had similar cost-benefit ratios, so the decision was based on the

infrastructure (needs) behind the beach," Jeffries said. "That was the one with the greatest need."

Army Corps officials are already in the design phase

to begin work on the south end, a contract is expected to be awarded by September, and work completed in four to six months, Jeffries said.

Of more than \$43 million appropriated by Congress for beach renourishment projects, \$23 million was allocated to New Jersey, \$2.4 million to Indiana, \$1.5

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million to California, \$1 million to Florida, and \$16 million to South Carolina, according to the Army Corps' civil works construction plan for 2016.

Gov. Nikki Haley included \$40 million in her budget request for the Department of Parks, Recreation, and Tourism to spend on emergency beach work to repair erosion caused by last year's storms, but the funding has yet to be approved by the state legislature.

Powell said the south end beach work needs about \$4 million in funding from the state, and another \$4 million will come from Horry County, Surfside Beach and Georgetown County.

"I wish we had gotten (all) the necessary funding, but I'm happy we got what we did and I'll continue working to make sure the north part of the strand is taken care of as well," Rice said.

In North Myrtle Beach, Cherry Grove suffered a

double whammy from Tropical Storm Ana and the off-shore passing of Hurricane Joaquin in 2015.

"It's not threatening structures, but it's still being impacted, and it will definitely have an impact on tourism," Dowling said. "People like to set up umbrellas, and if they're having trouble finding a beach at high tide, they might move down the beach or move elsewhere. That's part of why it's critical to our tou-

rism industry."

"We're not going to cry over spilled milk, we're going to continue to look for emergency funding," Dowling said. "If we can't find emergency funding between now and then, we'll have to wait until 2018, which leaves us pretty exposed, particularly in the Cherry Grove area."

Audrey Hudson
 843-444-1765; Twitter
 @AudreyHudson



JASON LEE jlee@thesunnews

Fencing along Garden City Beach once held back dunes that were destroyed by last year's storms. Garden City and Surfside beaches will get the entire amount of federal beach renourishment funding for construction to make repairs. Myrtle Beach and North Myrtle Beach were turned down.

Title: **Haley orders study of impact on business**

Author:

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Haley orders study of impact on business

COLUMBIA (AP) — South Carolina Gov. Nikki Haley said a statewide evaluation of local taxes and regulations will help counties attract and grow businesses.

The Republican announced Wednesday signing an executive order that creates the Local Government Competitiveness Council.

It said city and county governments can benefit or burden the business community, so there should be an analysis of local governments' impact on economic and quality-of-life issues.

Haley said the review will help local officials understand what they can do — and how they should vote — to be more competitive.

The committee's evaluation will focus on counties' public infrastructure, taxes and workforce readiness.

It will be led by Rick Reames, director of the state Department of Revenue.

The group will report its findings and recommendations to Haley.

The order contains no timeline.



Title: **Worry over road plan**
 Author: JEFFREY COLLINS Associated Press
 Size: 40.92 square inch
 Orangeburg, SC Circulation: 20345

Worry over road plan

JEFFREY COLLINS
 Associated Press

COLUMBIA — The House speaker and some other lawmakers were cautious while many Senate Republicans and the governor celebrated a plan that could set aside an additional \$400 million to repair South Carolina roads without raising the gas tax.

House Speaker Jay Lucas said the Senate needs to come up with a better plan, while Sen. Ray

Cleary said all the proposal does is make sure the Department of Transportation has money for one year and even if it's available after that, it won't be enough to expand roads in a rapidly growing state, only maintain them.

"If we go into another recession, what are you going to cut?" said the Murrells Inlet Republican, who is in the last year of his 12-year Senate career. He has

spent most of that time trying to get a stable source of money for roads, such as by raising the gas tax.

Lucas' statement Thursday pointed out the 323 days since the House passed its road plan, which raised the sales tax on fuel for a more stable funding source.

"The current Senate amendment simply kicks the can further down the road and frankly,

into a pothole. The General Assembly has been using general fund dollars to slap a Band-Aid on roads for years with very little to show for it," the Hartsville Republican said.

A year ago, a gas tax increase appeared nearly inevitable. Gov. Nikki Haley stunned the entire Statehouse by saying she could

Please see **Road plan**, Page A2

Road plan

From A1

support a gas tax increase if there was a corresponding tax cut. The state Chamber of Commerce followed with a poll saying most South Carolinians could support raising the gas tax for the first time in 30 years to fix potholes and bridges. Claims for damage caused by poor roads have increased rapidly and business leaders suggested the economy might slow if the state didn't improve its roads.

But three senators, led by Sen. Tom Davis, filibustered at the end of the 2015 session against a gas tax hike and stuck their ground this year, eventually bringing

nearly all the Senate Republicans to their side. The governor also praised the plan on her Facebook page as "exactly what we need in South Carolina."

Davis shrugged off whether he is the new hero for Republicans with libertarian leanings. "It was about making sure the dollars people send up here for roads and bridges are spent in a responsible way," the Beaufort Republican said.

Others aren't as happy. Senate Minority Leader Nikki Setzler said Democrats never got a say during the weeks of stalling and now will only get a day or

two next week to debate and possibly change the Republicans' plan.

Cleary said raising the gas tax was never discussed in public before his fellow Republicans decided their plan

was the way to go.

"You let the body decide. We didn't get to debate it today. We didn't debate it last year, we didn't debate it this year. We were held hostage until we gave up and surrendered," Cleary said.

Rep. Gary Simrill helped get the House bill through that chamber. He said \$400 million from the general fund is better than nothing,

but there are shortcomings to using general fund money. The gas tax is a much more stable source of funding, and out-of-state drivers pay it too, the Rock Hill Republican said.

"When it's from the fuel pump to DOT, that stream of revenue cannot be taken," Simrill said.

Business leaders also are behind the proposal with some reservations.

"It may be the best we would hope for under the circumstances," said South Carolina Alliance to Fix Our Roads Executive Director Bill Ross. "This is just a temporary fix. It's not a long term fix."

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The \$400 million would get the pavement on almost all South Carolina interstates to good condition. It fixes less than half of the state's primary roads and reduces the number of deficient bridges by half. It also falls short of the roughly \$1 billion the DOT said would allow it to widen interstates.

Follow Jeffrey Collins on Twitter at <http://twitter.com/JSCollinsAP>. His work can be found at <http://bigstory.ap.org/content/jeffrey-collins>

Title: **Worry lingers with S.C. Senate GOP's road plan**
 Author: BY JEFFREY COLLINS Associated Press
 Size: 47.58 square inch
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Worry lingers with S.C. Senate GOP's road plan

BY JEFFREY COLLINS

Associated Press

COLUMBIA

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House Speaker Jay Lucas said the Senate needs to come up with a better plan, while Sen. Ray

Cleary said all proposal does is make sure the Department of Transportation has money for one year and even if it's available that, it won't be enough to expand roads in a rapidly growing state, only maintain them.

"If we go into another recession, what are you going to cut?" said the Murrells Inlet Republican, who is in the last year of his 12-year Senate career. He has spent most

of that time trying to get a stable source of money for roads, such as by raising the gas tax.

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"The current Senate amendment simply kicks the can further down the road and frankly, into a pothole. The General Assembly has been using general fund dollars to slap a Band-Aid on roads for years with very little to show for it," the Hartsville Republican said.

A year ago, a gas tax increase appeared nearly inevitable. Gov. Nikki Haley stunned the entire Statehouse by saying she could support a gas tax increase if there was a corresponding tax cut. The state Chamber of Commerce fol-

lowed with a poll saying most South Carolinians could support

raising the gas tax for the first time in 30 years to fix potholes and bridges. Claims for damage caused by poor roads have increased rapidly and business leaders suggested the economy might slow if the state didn't improve its roads.

But three senators, led by Sen. Tom Davis, filibustered at the end of the 2015 session against a gas tax hike and stuck their ground this year.

Davis shrugged off whether he is the new hero for Republicans with libertarian leanings. "It was about making sure the dollars people send up here for roads and bridges are spent in a responsible way," the Beaufort Republican said.

Others aren't as happy. Senate

SEE ROAD, 5A

FROM PAGE 1A

ROAD

Minority Leader Nikki Setzler said Democrats never got a say during the weeks of stalling and now will only get a day or two next week to debate.

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"You let the body decide. We didn't get to debate it today. We didn't debate it

last year, we didn't debate it this year. We were held hostage until we gave up and surrendered," Cleary said.

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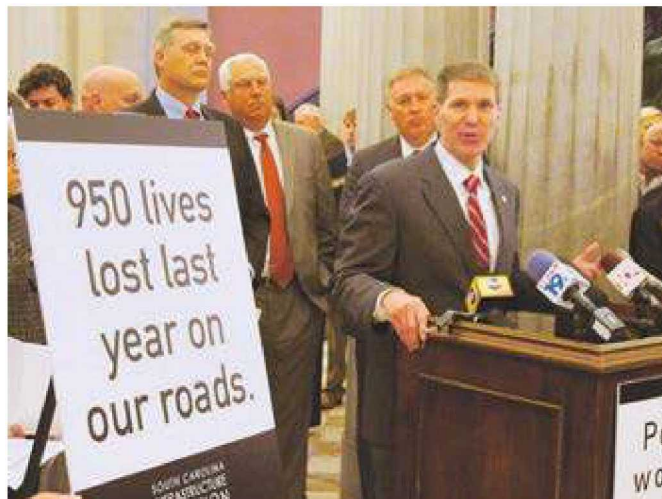
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Associated Press

S.C. Chamber of Commerce President Ted Pitts calls on the S.C. Senate to pass a state road bill in Columbia.

Title: **Governor says elected officials arrested on DUIs should resign**
 Author: BY ANDREW SHAIN ashain@thestate.com
 Size: 15.03 square inch
 Hilton Head Island, SC Circulation: 20015



Governor says elected officials arrested on DUIs should resign

BY ANDREW SHAIN

ashain@thestate.com

COLUMBIA

S.C. Gov. Nikki Haley said Wednesday that Richland County councilman Kelvin Washington and 11th Circuit Solicitor Donnie Myers, both recently arrested on drunken driving charges, should resign.

"When you look at any elected officials that believe they are above the law, there's a problem," she told reporters at the S.C. State House. "I think they both should resign. Our office is looking at options."

Haley can remove them

from office only if they are indicted on a crime of so-called "moral turpitude," a broad legal term for acts that violate society norms.

Myers was arrested last week for drunken driving after the S.C. Highway Patrol responded to a car accident where Myers' car had run off the road and hit a utility pole.

Myers was arrested for driving under the influence in 2005, pleading guilty to the charge. In 2012, Myers was charged

with having an open container of alcohol in his car.

Efforts to reach Myers were unsuccessful Wednesday.

Richland County Councilman Kelvin Washington was charged with felony drunken driving after he crashed into another car Saturday night near Hopkins. The 22-year-old driver of the other car was taken to the hospital with serious injuries.

Washington's attorney, Michael Duncan, declined to comment Wednesday.

Title: **Senate Republicans force votes on bill**
 Author: BY JEFFREY COLLINS Associated Press
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ROAD REPAIR FUNDING

Senate Republicans force votes on bill

Proposal would take \$400 million out of general budget for roads without raising gas tax

Conservative officials had been filibustering

300 amendments mean it could be a while before a vote on whole bill

BY JEFFREY COLLINS

Associated Press
COLUMBIA

Republicans in the South Carolina Senate decided Wednesday to begin forcing votes on a bill to get more money to the state roads.

Republicans united for a cloture vote after appearing to get behind a proposal that would take \$400 million out of the general budget and put it toward roads without raising the state's gas tax.

Although the 24-16 vote along party lines about 6:30 p.m. Wednesday started the process in motion, it could be a while before any vote on the whole bill. Senate rules give members 20 minutes to debate an amendment, and Senate President Pro Tem Hugh Leatherman

said earlier this week there were 300 amendments to the bill to be heard.

Democrats were furious at the move and warned they would take as much time as allowed, not caring if they stalled the state budget and any other bills.

"I don't know how long we are going to stay here, but it's a while," said state Sen. Brad Hutto, D-Orangeburg. "Now we got ourselves into a parliamentary snafu that will take days, weeks, months."

Republicans forced the issue after weeks of inaction. Conservative senators were filibustering to stop a gas tax increase but suddenly stopped to take up an amendment that

provided extra highway money without raising the gas tax and would allow the governor to appoint all eight members of the Department of Transportation's board.

"We have to fix the way we fix roads before we give them more funding," said Sen. Larry Grooms, R-Charleston.

When Lt. Gov. Henry McMaster ruled that amendment could not be considered, Republicans moved to limit debate. A similar amendment will be heard later.

The action took place hours after Gov. Nikki Haley said Leatherman was using his position as president of the Senate to hold the roads bill hostage.

"He is holding hostage our roads in the name of power, and that's one of the worst things you can ever do," Haley said. "The senators need to get strong and listen to their constituents."

Leatherman was on the Senate floor and not immediately available to comment. But he voted for the cloture motion.

Haley's comments at a news conference Wednesday continued a long-standing feud between the two Republicans. Haley went to a chamber of commerce event in Florence last year and with Leatherman in attendance, blamed him and a few Democratic lawmakers for stopping ethics reform.

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JEFFREY COLLINS AP

State Sens. Hugh Leatherman, R-Florence, left, and Harvey Peeler, R-Gaffney, right, listen to a filibuster on a roads bill in the state Senate chamber on Wednesday.

Title: **10 things gov. could have said to Trump**
 Author: BYDAVIDLAUDERDALE
 Size: 23.71 square inch
 Hilton Head Island, SC Circulation: 20015



BY DAVID LAUDERDALE

10 things gov. could have said to Trump

S.C. Gov. Nikki Haley took the high road when Donald Trump attacked her on Twitter.

It was probably a sound strategic move, knowing he would not know his way around there.

"Bless your heart," Haley tweeted back when the GOP presidential leader sent this out: "The people of South Carolina are embarrassed by Nikki Haley!"

She could have embarrassed herself by calling him a pissant, or some other appropriate Southern put-down.

But "Bless your heart" is the high road because it is a put-



JOHN BAZEMORE AP

Nikki Haley

down in disguise.

Down South, it would often be followed by a sweet little explanation. Such as:

"He can't hep it. Dr. Brush dropped him when he was bawn."

She might could have thrown a little elbow by saying, "So sweet of you to speak on South Carolina's behalf, kudzu mouth."

Here's a Top 10 list of Southern responses to rude Yankees that Haley might have chosen:

- Delta is ready when you are.
- You ain't so many you can't be counted.
- Come back to see us, you hear?
- God don't like ugly.
- Fiddle-dee-dee.
- Might could.
- Well hush my mouth.
- Do what?
- You eat with that mouth?
- You lie!

David Lauderdale:
 843-706-8115,
 @ThatsLauderdale

Title: **Worry lingers with SC Senate Republicans' \$400M road plan**
 Author: BY JEFFREY COLLINS Associated Press
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 Hilton Head Island, SC Circulation: 20015



Worry lingers with SC Senate Republicans' \$400M road plan

BY JEFFREY COLLINS

Associated Press

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Sen. Ray Cleary said all the plan does is make sure the Department of Transportation has money for one year, and even if it's available, that won't be enough to expand roads in a rapidly growing state, only maintain them.

"If we go into another recession, what are you going to cut?" said the Murrells Inlet Republican, who is in the last year of his 12-year Senate career. He has spent most of that time trying to get a stable source of money for roads, such as by raising the gas tax.

A year ago, it appeared Cleary might get his wish.

Gov. Nikki Haley stunned the entire Statehouse by saying she could support a gas tax increase if there was a corresponding tax cut. The state Chamber of Commerce followed with a poll saying most South Carolinians could support raising the gas tax for the first time in 30 years to fix potholes and bridges. Claims for damage caused by poor roads have increased rapidly and business leaders suggested the economy might slow if the state didn't improve its roads.

But three senators, led by Sen. Tom Davis, R-Beaufort, filibustered at the end of the 2015 session against a gas tax hike and stuck their ground this year, eventually bringing nearly all the Senate Republicans to their side.

"It was about making sure the dollars people send up here for roads and bridges are spent in a responsible way," he said.

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 Author: BY JEFFREY COLLINS Associated Press
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STATE INFRASTRUCTURE

Worry lingers with S.C. Senate Republicans' \$400 million roads plan

BY JEFFREY COLLINS

Associated Press

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JEFF SOCHKO Special to The Herald

Workers with G Campbell Construction Company replace a utility line along the Allison Creek bridge on Lincoln Road last month. S.C. Senate Republicans approved a \$400 million plan to fix the state's roads without raising the gas tax.



JEFFREY COLLINS AP

South Carolina senators discuss rulings made during a road funding debate in Columbia on Wednesday.