

February 22, 2024
REQUEST FOR QUALIFICATIONS
TOWN OF ALLENDALE
WASTEWATER AND COLLECTION SYSTEM UPGRADES
ENGINEERING SERVICES
SCIIP Grant #A-23-C005
TOWN OF ALLENDALE RFQ #2024-01

DUE DATE:
March 12, 2024 at 3:00 pm

RECEIPT LOCATION:
1296 Main Street North, Allendale, SC 29810
PO Box 551, Allendale, SC 29810

OFFICIAL CONTACT:

Emory Langston, PCED Administrator, LSCOG
SCIIP Grant Contact -803-508-7046
elangston@lscog.org

Hattie Jackson, Councilwoman – Town of
Allendale
803-584-4619 councilladyhjackson@gmail.com

The Town of Allendale reserves the right to reject any and all submissions or any parts thereof and to waive any irregularities or minor informalities in any submission or in the procurement process and to make a contract award in the best interest of the Town of Allendale.

This project is being funded in whole or in part by the South Carolina Infrastructure Investment Program (SCIIP), which is administered by the South Carolina Rural Infrastructure Authority (RIA) and funded by federal State and Local Fiscal Recovery Funds (SLFRF) through the American Rescue Plan Act (ARPA). All federal SLFRF requirements and SCIIP requirements will apply to the contract. All contractors and subcontractors are required to be registered in the federal System for Award Management (SAM) and may not be debarred from doing business with the federal government. Respondents on this work will be required to comply with all applicable federal regulations, including those listed in Exhibit A.

1. INTRODUCTION

The Town of Allendale is issuing this Request for Qualifications (RFQ) to identify a qualified civil engineer to provide a full range of engineering services to support the implementation of the Wastewater and Collection System Upgrades. These services will be provided under contract with the Town of Allendale, with funding provided by the South Carolina Rural Infrastructure Authority (RIA) through the South Carolina Infrastructure Investment Program (SCIIP) under SCIIP Grant #A-23-C005 and RIA State Grant # R-23-C005.

1.1. Method of Procurement

This is a qualifications-based selection. Award will be given to the most responsible, responsive and most highly-qualified engineering firm based on the factors outlined in Section 5, SELECTION CRITERIA. Cost is NOT a factor in the ranking of firms to provide services herein. DO NOT include any reference to consultant costs in the RFQ response. Any RFQ response with any discussion of cost will be disqualified. Contract fees will be negotiated after selection based on the project scope. A general scope of work is outlined below.

Firms are advised that this evaluation and selection process is a competition and not simply a prequalification. It is the intent of the Town of Allendale to award the contract to a single Firm.

1.2. Project Description

The SCIIP funding will be used to upgrade mechanical structural features at the manor pumpstation and the wastewater treatment plant and address the SCDHEC violations and consent orders. The application for SCIIP funding, which includes a detailed project description as well as preliminary engineering information, can be found at Exhibit B.

1.3. Engineering Scope of Work

To support this project, the Town of Allendale is requesting full engineering services to include the following scope of work:

- Preparing technical drawings and specifications
- Filing applications for permits and/or design approvals
- Revising drawings in response to directives from governmental authorities as needed
- Preparing bidding documents and revising as needed
- Bidding the project and negotiating with contractors
- Compiling contract documents and participating in the pre-construction conference

- Construction observation and inspection
- Preparing pay requests
- Conducting final inspection and providing a notice stating that the work is acceptable
- Preparation and/or submittal of contractor prepared final as built drawings

1.4. Project Schedule

The estimated project schedule is as follows:

Completion of final design	August 30, 2024
Acquisition of all permits	November 1, 2024
Advertise for bids	December 1, 2024
Construction notice to proceed date	March 1, 2025
Completion of construction	March 1, 2026
Grant close-out	June 1, 2026

Timely completion of the project is a key requirement, as delays could result in the loss of grant funding.

2. REQUEST FOR QUALIFICATIONS (RFQ) PROCESS AND POLICIES

2.1. Submittal of Statements of Qualifications

The Town of Allendale is hereby issuing this Request for Qualifications (RFQ) to engineering firms that have the capability and interest in undertaking and performing the scope of work described in this RFQ. The RFQ will be publicly advertised in accordance with the SCIIP procurement guidelines.

The OFFICIAL CONTACTS for this solicitation are:

Hattie Jackson, Councilwoman
 Town of Allendale, P.O. Box 551, Allendale, SC 29810
councilladyhjackson@gmail.com

Emory Langston, PCED Administrator, LSCOG
 SCIIP Grant Contact -803-508-7046
elangston@lscog.org

Each firm responding to this solicitation is officially a RESPONDENT. Each respondent must submit a sealed package containing an original and [2] copies plus one (1) digital copy of its statement of qualifications to Hattie Jackson at the address above no later than March 12, 2024 at 3:00 pm. Statements of qualifications may be submitted in person, by messenger, or by regular mail. All submissions will be logged in and date and time stamped. **Any qualifications package that is received after the date and time specified will be logged and date and time stamped as "late" and returned unopened to the respondent.**

2.2. Proposed Procurement Timeline

Release Date for RFQ	February 22, 2024
Final Date to Receive Written Questions/Clarifications	March 6, 2024 at 4:00 pm
RFQ Closing Date	March 12, 2024 at 3:00 pm
Completion of Selection Committee Review and Recommendation	March 21, 2024, estimated
Execution of Contract	April 23, 2024

2.3. Labeling of Submissions

All submissions must be submitted in a sealed envelope or package plainly marked "Town of Allendale – Wastewater and Collection System Upgrades, ATTN: Hattie Jackson" with the name and address of the respondent in the upper left-hand corner. No responsibility will attach to the Town of Allendale or any official or employee thereof, for the pre-opening, post opening, or failure to open a submission not properly addressed and identified.

2.4. Proprietary/Confidential Information

All materials and written qualifications submitted pursuant to this RFQ shall become the property of the Town of Allendale and will not be returned. All respondents must visibly mark as "CONFIDENTIAL" each part of their submission that they consider to contain proprietary information the release of which would constitute an unreasonable invasion of privacy. All unmarked pages will be subject to release in accordance with law. Marked pages will not be disclosed if they are deemed to meet the requirements under the South Carolina Freedom of Information Act, S.C. Code Section 30-4-10, *et seq.* Respondents should be prepared, upon request, to provide justification of why such materials should not be disclosed in accordance with the South Carolina Freedom of Information Act.

2.5. Questions/Requests for Clarification

All questions and/or requests for clarification regarding this RFQ should be provided in writing to Hattie Jackson no later than March 6, 2024 at 4:00 pm. All questions submitted and their answers will be posted on the Lower Savannah Council of Governments website (www.lscog.org) as an addendum to this RFQ. **No telephone inquiries will be accepted.**

2.6. Addenda

If it becomes necessary to revise any part of this RFQ, a written addendum will be issued. All addenda issued by the Town of Allendale/Lower Savannah Council of Governments will become part of the official RFQ and will be posted on the Lower Savannah Council of Governments Website at www.lscog.org and electronically mailed to each applicant. Receipt of all addenda must be acknowledged in the response to this RFQ.

2.7. Contact Policy

No direct or indirect contact regarding this solicitation may be made with any representatives of the Town of Allendale other than the official contact identified in this RFQ. If such contact is made, the Town of Allendale reserves the right to reject a submission by that respondent. All questions and/or requests for clarification must be provided in accordance with Section 2.5 of the RFQ. This contact policy applies to site visits and requests for technical information. Any technical information needed from the Town of Allendale to prepare a submission should be coordinated through the Questions/Requests for Clarification process outlined in Section 2.4.

2.8. Acceptance and Rejection of Submissions

Any submissions that do not conform to the essential requirements of the RFQ shall be rejected. The Town of Allendale reserves the right to waive informalities and minor irregularities in submittals and reserves the sole right to determine what constitutes informalities and minor irregularities. The Town of Allendale also reserves the right to accept or reject any or all submissions received in response to this RFQ. The Town of Allendale is not obligated to enter into any contract on the basis of any submittal in response to this RFQ. The Town of Allendale reserves the right to request additional information from any firm submitting under this RFQ if such information is necessary to clarify the submission.

2.9. Cancellation/Rejection

The Town of Allendale may cancel this RFQ in whole or in part at any time if it is determined to be in the best interest of the Town of Allendale. The Town of Allendale may reject any or all submissions in whole or in part if it is determined to be in the best interest of the Town of Allendale.

2.10. Conflict of Interest

Respondents shall promptly notify the Town of Allendale in writing of all potential conflicts of interest for any prospective business association, interest, or other circumstance, which may influence or appear to influence the respondent's judgment or quality of services being provided hereunder. Such written notification shall identify the prospective business association, interest, or circumstance, the nature of work that such a person may undertake, and request an opinion of the Town of Allendale as to whether the association, interest, or circumstance would, in the opinion of the Town of Allendale, constitute a conflict of interest. By responding to this solicitation, the respondent certifies that it has no conflict of interest with any employee, agent, elected official or officer of the Town of Allendale or any other conflict as may be set forth herein.

2.11. Collusion

More than one submission from an individual, firm partnership, corporation, association or related parties under the same or different names will not be considered. If the Town of Allendale believes that collusion exists among respondents, all submissions from the suspected firms will be rejected. "Related parties" means respondents or the principals thereof, which have a direct or indirect ownership or profit sharing interest in another respondent.

Respondents shall comply with all local, state, and federal directives, orders, and laws applicable to this RFQ and any resulting contract.

By responding to this RFQ, respondents certify that the response is made without previous understanding, agreement, or connection with any person, firm or corporation making a submission for the same item, and they certify the knowledge that this would constitute an illegal action.

2.12. South Carolina Infrastructure Investment Program (SCIIP) Requirements

This project is being funded in whole or in part by the South Carolina Infrastructure Investment Program (SCIIP), which is administered by the South Carolina Rural Infrastructure Authority (RIA) and funded by federal State and Local Fiscal Recovery Funds (SLFRF) through the American Rescue Plan Act (ARPA). All federal SLFRF requirements and SCIIP requirements will apply to the contract. All contractors and subcontractors are required to be registered in the federal System for Award Management (SAM) and may not be debarred from doing business with the federal government. The successful respondent will be required to comply with all applicable federal regulations, including those outlined in Exhibit A. More information about program requirements can be found in the SCIIP Project Management Procedures found at ria.sc.gov/resources/forms-documents.

3. STATEMENT OF QUALIFICATIONS CONTENTS

Respondents interested in providing the services outlined in this RFQ must prepare and submit a statement of qualifications. The submission must include the following, in the order listed:

3.1. Cover Letter

The response should contain a cover letter signed by a person who is authorized to commit the respondent to perform the work described in this RFQ and should identify all subcontractors, materials, and enclosures being forwarded in response to the RFQ.

3.2. Firm Qualifications

Provide relevant information about the firm to include the following:

- Organization/company overview as it relates to the requirements of the RFQ
- Organization/company overview of all sub-contractors as it relates to the requirements of the RFQ
- Number of years the firm has been providing the requested services with a brief description of recently performed projects that indicate the past performance and abilities of the proposed team. More detail on specific projects should be included in the Relevant Experience section.

3.3. Key Personnel

Provide a proposed project management structure that identifies the project manager and all personnel who will be assigned to work on this project, including a description of their abilities, qualifications (including education and licensure), and experience. Identify the proposed project manager who will be the sole point of contact for the Town of Allendale during day-to-day operations and include their contact information. Include resumes for all key individuals (including sub-consultants) who will be completing a portion of the scope of work.

3.4. Relevant Experience

Provide descriptions of similar infrastructure projects that the organization and/or key personnel have completed, including tasks involved, timeframes, and outcomes. Include any relevant experience with federal requirements or grant-funded projects and/or experience with the wastewater infrastructure to be improved. Also include any relevant work performed in a nearby jurisdiction or in the Town of Allendale's jurisdiction.

3.5. Firm Workload

Describe the recent, current, and projected workload of the respondent and any sub-consultants, related to how it might impact the respondent's ability to meet the project's schedule requirements.

3.6. References

Provide three (3) client references for relevant projects within the last 5 years that indicate the past performances and abilities of the proposed team. Include a key client contact person for each project with their current daytime phone number and email address.

4. EVALUATION AND AWARD PROCESS

4.1. Selection Committee

The Town of Allendale will conduct a formal selection process to determine the best qualified respondent. This process will include the formation of a selection committee and the appointment of other technical advisors as needed to review all of the submissions and score them based on the established selection criteria outlined herein. The award will be made to the highest rated and ranked respondent based on the cumulative scores of the selection committee.

The Town of Allendale reserves the right to contact a firm to obtain written clarification of information submitted and to contact references to obtain information regarding performance, reliability, and integrity. After evaluating the submitted Statements of Qualifications, the selection committee may choose to interview a short list of at least three firms prior to ranking the respondents. If interviews will be conducted, short-listed respondents will be notified at least ten (10) business days prior to the interview date.

4.2. Notice of Intent to Award

The selection committee's recommendation for award will be presented to the Town of Allendale's Council for consideration. If approved, a notice of "Intent to Award" will (receive a formal letter) be posted on the Lower Savannah Council of Governments website (www.lscog.org). A notice will also be emailed to all respondents informing them of the committee's recommendation.

4.3. Protested Solicitations and Awards

Any respondent who is aggrieved in connection with the solicitation or award of a contract may protest according to the procedures in the Town of Allendale's procurement policy. Protest procedures will be available on the Lower Savannah Council of Governments website at www.lscog.org

Alternatively, a copy of the policy may be provided upon request. For more information regarding protest procedures, see Article III of the Town of Allendale's Procurement Policies and Procedures.

4.4. Contract Negotiations/ Award of Contract

After the close of the appeal period, if no appeals were received or successfully granted, the highest rated respondent identified in the "Intent to Award" will be invited to enter into contract negotiations with Town of Allendale to finalize the scope of work, personnel, hours, hourly rates, use of sub-consultants, and other

direct costs that will be required to complete the agreement between the Town of Allendale and the selected respondent. If an agreement cannot be reached with the top ranked firm, the Town of Allendale will select the next highest ranked responsive and qualified firm and the negotiation phase will be repeated. This process will continue until an agreement is reached with a qualified firm that can provide the required scope of services within the project budget. Any contracts awarded as a result of this procurement process will be between the respondent and the Town of Allendale.

Per RIA SCIIP guidelines, any contract negotiated as a result of this procurement process will require approval from RIA prior to award/execution. Once a draft contract is negotiated, the Town of Allendale will submit it to RIA for approval. Once approval is granted, the Town of Allendale and the selected respondent may enter into the contract. Failure to adhere to this policy could result in disallowed grant costs and the cancellation of this solicitation.

5. SELECTION CRITERIA

The selection criteria and their relative importance in making the selection are:

5.1. Qualifications of Firm/Personnel (25%)

Technical expertise and competence, including education, registration, and years of experience of individuals who will be assigned to this project.

5.2. Related Experience on Similar Projects (25%)

Extent of relevant experience with infrastructure projects of a similar nature, including experience with federally-funded grants and/or RIA state-funded grants.

5.3. Past Performance (25%)

Performance recommendations with regard to work quality, schedule, budget, communication and coordination of projects.

5.4. Recent, Current, and Projected Workload (15%)

Workload of the firm and key personnel, related to how it might impact the respondent's ability to meet the project's schedule requirements.

5.5. Proximity and Local Knowledge (10%)

Proximity to the project location and knowledge of the area and the infrastructure to be improved, as demonstrated through relevant experience.

EXHIBIT A

Terms and Conditions for SCIIP-Funded Professional Services Contracts

The following terms and conditions will be incorporated into the contract for this work:

1. Termination for Cause and Convenience

The contract may be terminated in whole or in part as follows:

- i. By the Grantee, if a contractor fails to comply with the terms and conditions of the SCIIP award;
- ii. By the Grantee, to the greatest extent authorized by law, if an award no longer effectuates the program goals or agency priorities;
- iii. By the Grantee with the consent of the contractor, in which case the two parties must agree upon the termination conditions, including the effective date and, in the case of partial termination, the portion to be terminated;
- iv. By the Grantee upon written notification setting forth the reasons for such termination, the effective date, and, in the case of partial termination, the portion to be terminated. However, if the Grantee determines in the case of partial termination that the reduced or modified portion of the contract will not accomplish the purposes for which the contract was made, the Grantee may terminate the contract in its entirety; or
- v. By the Grantee pursuant to termination provisions included in the SCIIP award.

2. Administrative, Contractual, and Legal Remedies¹

In addition to any of the remedies described elsewhere in the contract, if the contractor materially fails to comply with the terms and conditions of this contract, including any federal or state statutes, rules or regulations, applicable to this contract, RIA or the Grantee may take one or more of the following actions:

- i. Temporarily withhold payments pending correction of the deficiency by the contractor;
- ii. Disallow (that is, deny both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance;

¹ This provision is required only for contracts in excess of \$150,000.

- iii. Wholly or partly suspend or terminate this Contract; and
- iv. Take other remedies that may be legally available.

The remedies identified above, do not preclude the contractor from being subject to debarment and suspension under Presidential Executive Orders 12549 and 12689. The Grantee shall have the right to demand a refund, either in whole or part, of the funds provided to the contractor for noncompliance with the terms of this Contract.

3. Equal Opportunity Clause

During the performance of this contract, the contractor agrees as follows:

- i. The contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, gender identity, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, gender identity, or national origin. Such action shall include, but not be limited to the following:

Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, or national origin.

- ii. The contractor will not discharge or in any other manner discriminate against any employee or applicant for employment because such employee or applicant has inquired about, discussed, or disclosed the compensation of the employee or applicant or another employee or applicant. This provision shall not apply to instances in which an employee who has access to the compensation information of other employees or applicants as a part of such employee's essential job functions discloses the compensation of such other employees or applicants to individuals who do not otherwise have access to such information, unless such disclosure is in response to a formal complaint or charge, in furtherance of an investigation, proceeding, hearing, or action, including an investigation conducted

by the employer, or is consistent with the contractor's legal duty to furnish information.

- iii. The contractor will send to each labor union or representative of workers with which he has a collective bargaining contract or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- iv. The contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
- v. The contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- vi. In the event of the contractor's noncompliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

4. Debarment and Suspension (Executive Orders 12549 and 12689)

The Contractor certifies that it is not listed on the government-wide exclusions in SAM, in accordance with the OMB guidelines at 2 CFR 180 and 2 CF 1200 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension."

EXHIBIT B

Town of Allendale, South Carolina
Wastewater and Collection System Upgrades
South Carolina Infrastructure Investment Program
September 2022

A. Need

The Town of Allendale located in Allendale County owns and operates a wastewater system that consists of approximately 32 miles of gravity and force main sewer line and a wastewater treatment plant. By design, the wastewater treatment plant (WWTP) has a capacity of four (4) million gallons a day. The Town's WWTP is a regional plant that serves approximately 5,445 customers within the town limits of Allendale, Fairfax, and Gifford, which also includes the Allendale Correctional Institute located in Fairfax, SC. Currently, there are mechanical and structural features at the Manor pump station and WWTP that have reached the end of their useful design life of twenty years.

1. The Manor pump station is adjacent to a creek and critical for the management of sewer flow for the entire system. The SCDHEC consent order presented in April 2022, notes there was evidence of sanitary sewer overflow (SSO) present at the Manor pump station. Currently, the Manor pump station is an environmental liability and in dire need of upgrades because the building and all the equipment have reached the end of their useful life. The Town has already purchased 3 effluent pumps to be installed at this pump station.
2. The manual chemical feed system at the WWTP needs to be upgraded to enhance water quality and provide cost-effective disposal of wastewater. The SCDHEC consent order also noted that the chemical rooms lack the proper safety protections and presents a safety hazard for the public and plant operators.
3. The WWTP is designed to have a total of (4) 10 hp mixers, (4) 10 hp aerators, (2) 5 hp aerators, and (4) 7.5 hp aerators. The four 7.5 hp aerators were replaced as part of the current CDBG project, but the remaining mixers and aerators are original to the plant and need to be upgraded. It was noted in the SCDHEC consent order that at the time of inspection the primary sedimentation pond had no aeration. The effluent pump station wetwell also needs to be upgraded because the concrete is in poor condition.
4. The complete mix basins are installed with concrete erosion panels that act to protect the slopes from the wave action created by the large aerators. Several the panels have failed due to their age.
5. The post aeration system at the end of the chlorine contact chambers ensures proper dissolved oxygen concentration before wastewater enters the effluent pump station. This system is inoperable, but its operation is critical to meet effluent requirements.
6. The vertical turbine effluent pumps operate off variable frequency drivers (VFD). VFD is needed for the pumps to sense levels in the effluent wetwell to increase or decrease the pump speed accordingly, which will allow the plant to run more efficiently.
7. The bar screen at the WWTP was upgraded as part of the current CDBG project and it works well to remove material from the plant influent, but the area around the bar screen needs to be upgraded to help with housekeeping and storage of the screened material.

B. Project Description

1. Manor pump station

- This project will include the demolition of the current building, constructing a new building, vortex grit removal system, and a permanent generator. The upgrades to the Manor pump station will address the frequent SSO at the pump station and remedy the threat to human health and the environment.

2. Chemical feed system

- The chemical feed equipment will be upgraded with automated feeders and paced with effluent flow. To ensure accurate feed rates, a new magnetic flow meter will be installed to measure actual effluent pumping. The chemical building will also be upgraded to provide proper safety systems.

3. Plant Mixers/Aerators

- A total of (4) 10 hp mixers, (4) 10 hp aerators, and (2) 5 hp aerators will be upgraded.

4. Complete Mix Cell Erosion Panels

- The existing erosion panels will be removed. Filter point lining panels filled with concrete will be installed to protect the slopes of the basin from continued erosion.

5. Post Aeration

- The current aeration equipment will be removed and replaced with upgraded equipment. Diffusers will also be upgraded.

6. Effluent Pump Station

- A VFD control system will be installed to allow varied pumping with wetwell level.

7. Bar Screen Collection Area at WWTP

- The area around the bar screen will be upgraded with concrete curbing and drains to ensure material is collected properly.

C. Feasibility

Cost-Effectiveness and Alternatives

This project will cost-effectively address SCDHEC consent orders and much-needed upgrades to mechanical and structural features at the Manor pump station and WWTP that have reached the end of their useful design life.

- **Connection to Another Wastewater Treatment Plant**

The nearest WWTP is over 15 miles away across various wetlands and other highly sensitive areas in Hampton, SC. The WWTP in Hampton would need to be expanded to handle an interconnection from Allendale, but that would be difficult due to its location in a densely forested, low lying wetlands area. Further, the low dissolved oxygen and high NH-3 results that are frequent and non-volatile for the Allendale system would be a

problem for the WWTP in Hampton. The issues related to the Manor pump station and other SCDHEC violations would still need to be addressed. For these reasons, this is not a viable and sustainable alternative.

- **Do Nothing**
The Manor pump station is an environmental liability and much of the mechanical and structural features at the WWTP are original to the plant and beyond repair. Because much of the WWTP is still original, it is not running efficiently and affecting the quality of its discharge. For these reasons, this is not a viable and sustainable alternative.

Timeline for December 2026 deadline

The project timeline for the December 2026 expenditure deadline, if awarded, is as follows:

Engineering design	2 Months	3 rd Quarter 2023
Permitting	4 Months (due to heavy demand)	4 th Quarter 2023
Bidding/Award/Contracts	4 Months (due to Fed requirements)	1 st Quarter 2024
Construction	18 Months	December 2025

We anticipate and expect high demand for permitting and construction contractors. We also anticipate and expect potential supply chain issues. With an estimated completion date of December 2025, that would give an extra 12 months to address potential slow progress issues.

Plans for Cost Overruns—As cost overruns are a possible issue, we are hopeful the required 25% contingency will account for some potential overages. The Town of Allendale also has an additional \$20,000 contingency that has been allocated for the project. Beyond the contingencies, we would look to alternative grant sources as well as possibly scale back within the scope of project activity.

Local Investment Supplement—The Town is requesting \$500,000 in state RIA funds. As a small, rural town, the small revenues that are generated go directly back into the operations of the system. The Town is committing a considerable amount to the project, while also saving some remaining ARPA funds to address other maintenance issues with the water and sewer system. Another cost option would be to source loans; however, the costs for services would have to be increased. This would mean rate increased for the users in the small, rural community.

The \$500,000 in state RIA funds will help leverage the funds the Town of Allendale can offer toward the project to make a long-lasting, efficient, sustainable, and resilient system for the community.

Dig Once—This will not impact the Allendale project because the upgrades are only taking place at the Manor pump station and the WWTP.

D. Benefits/ Impacts

Regional Solutions— The Allendale WWTP is a regional plant that serves Fairfax and Gifford. This project will have a transformative impact on all systems. After the much needed upgrades are made, it may be possible for Allendale to expand service to nearby municipalities or future economic development opportunities looking for wastewater services.

Water Quality—This project addresses multiple consent orders, violations, and public health and environmental concerns. The SSO's detected at the Manor pump station present a significant risk to human and environmental health, particularly with its location adjacent to a creek. The upgrades at the WWTP will also significantly improve the water quality that is discharged to the Savannah River.

Resilience and Storm Protection—The upgrades at the Manor pump station includes a permanent generator. This relieves the concern about power outages at this station, which could result in a major environmental catastrophe.

Other Aging Infrastructure— The mechanical and structural upgrades included in this project at the Manor pump station and the WWTP are original to the system and have reached the end of their useful life. All the activities included in this project will improve the efficiency of the sewer system while also creating a viable and sustainable system.

PRELIMINARY COST ESTIMATE
TOWN OF ALLENDALE
WASTEWATER SYSTEM IMPROVEMENTS

HPG File No. 22042

Date: August 2022

MANER INFLUENT PUMP STATION REHAB

A. Pump Replacement

• Demolition of exiting pumps	\$ 75,000.00
• Bypass pumping.....	100,000.00
• Emergency connection.....	20,000.00
• Wetwell rehab	125,000.00
• Install pumping equipment with bases purchased by the town, valves, piping and related items.....	200,000.00
• Controls.....	75,000.00
• Electrical	175,000.00
• Fixed generator	175,000.00
• Building cost.....	<u>200,000.00</u>

Subtotal A \$1,145,000.00

B. Vortex Grit Removal System

• Precast circular basins (step sizes).....	\$ 150,000.00
• Equipment.....	75,000.00
• Grit pumping.....	75,000.00
• Miscellaneous metals.....	50,000.00
• Installation	175,000.00
• Controls.....	50,000.00
• Electrical	100,000.00
• Dewatering.....	<u>75,000.00</u>

Subtotal B \$ 750,000.00

SUBTOTAL MANER PUMP STATION \$1,895,000.00

WASTEWATER TREATMENT FACILITY IMPROVEMENTS

A. Plant Mixer / Aerator		
•	Install four (4) 10 hp mixers (\$35,000 each)	\$ 140,000.00
•	Install four (4) 10 hp aerators (\$35,000 each).....	140,000.00
•	Install two (2) 5 hp aerators (\$25,000 each)	50,000.00
•	Wetwell rehab	125,000.00
•	Electrical	75,000.00
•	Cables.....	<u>75,000.00</u>
	Subtotal A	\$ 605,000.00
B. Complete Mix Cell, Erosion Panels		
•	Remove existing erosion panels.....	\$ 20,000.00
•	Install 1,100' x 25' filter point lining	<u>1,375,000.00</u>
	(27,500 SF @ \$50.00/SF)	
	Subtotal B	\$1,395,000.00
C. Post Aeration		
•	Remove / replace post aeration equipment	\$ 45,000.00
•	Replace diffusers.....	<u>10,000.00</u>
	Subtotal C	\$ 55,000.00
D. Effluent Pump Station – VFD Controls		
•	VFD control system to allow for varied pumping with wetwell level	\$ <u>100,000.00</u>
	Subtotal D	\$ 100,000.00
E. Chemical Feed Equipment and Pacing		
•	Install replacement chlorination equipment.....	\$ 45,000.00
•	Install replacement dichlorination equipment.....	45,000.00
•	Upfit chemical buildings (chemical and piping).....	40,000.00
•	Install effluent magnetic flow meter	45,000.00
•	Install chemical pacing controls for feed equipment (Cl ₂ and SO ₂)	30,000.00

- Controls..... 20,000.00
- Electrical 40,000.00

Subtotal E \$ 265,000.00

F. Bar Screen Collection Area

- Concrete slabs w/ curbing..... \$ 20,000.00
- Drain collection with discharge to plant 15,000.00

Subtotal F \$ 35,000.00

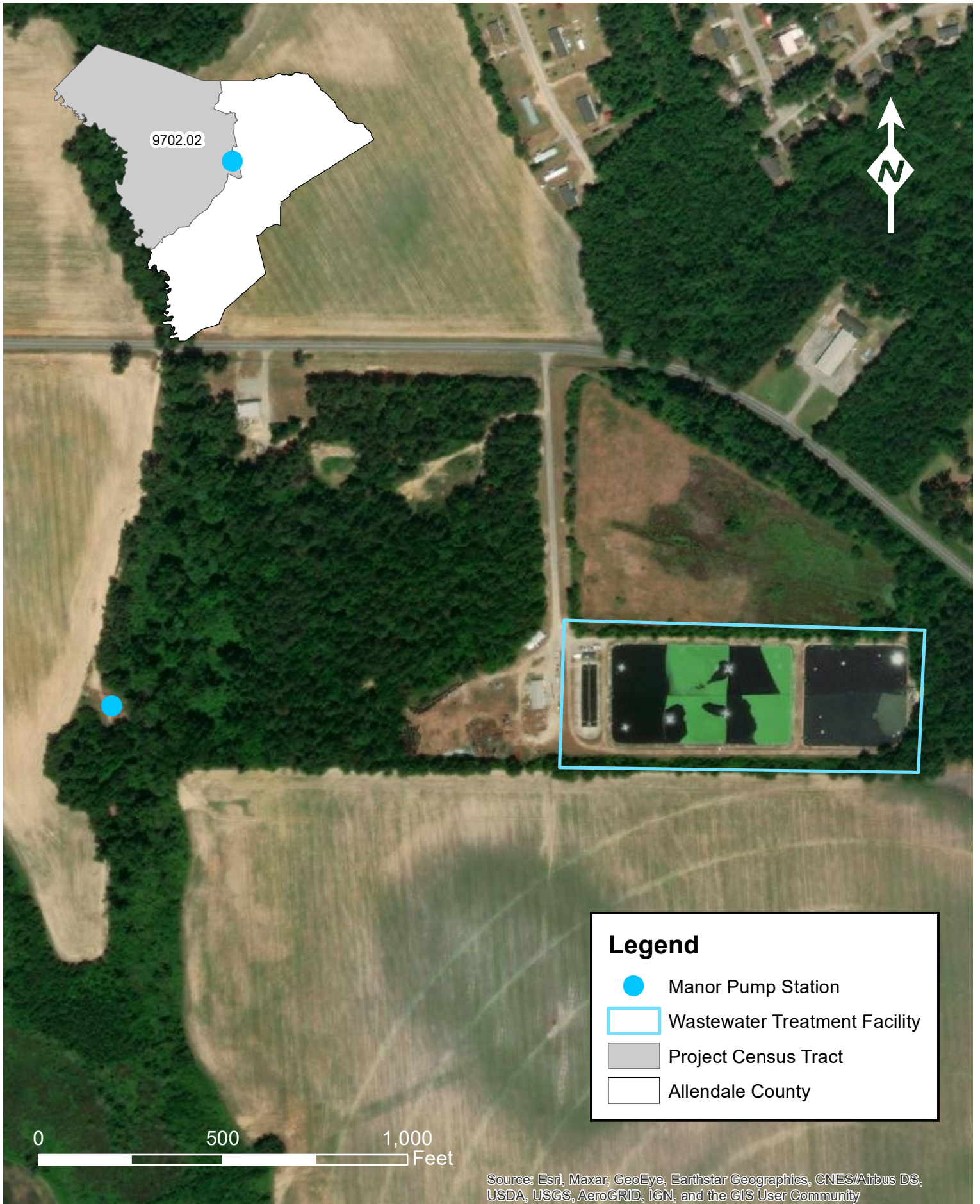
SUBTOTAL WWTP IMPROVEMENTS \$2,455,000.00







Total Construction Cost	\$4,350,000.00
Contingencies (25%)	1,087,500.00
Engineering (10%)	<u>435,000.00</u>

TOTAL PROJECT COST \$5,872,500.00

Wastewater and Collection System Upgrade



Legend

-  Manor Pump Station
-  Wastewater Treatment Facility
-  Project Census Tract
-  Allendale County

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

September 8, 2022



SC Rural Infrastructure Authority
1201 Main Street, Suite 1600
Columbia, SC 29201

RE: Letter of Commitment and Certification of System Ownership

Dear Sir/Madam,

On behalf of the Town of Allendale, I request your approval of this South Carolina Infrastructure Investment Program (SCIIP) Community Impact grant application request. This application requests funding to assist the Town with the construction of a flow pace chemical feed system at the WWTP and to upgrade the sewer pump station and sewer force main to transfer wastewater from the existing Town of Allendale Manor pump station ("Old Dog Pound") lift station to the Town of Allendale WWTP. The funding amount being requested is \$500,000.00.

I certify that Town is the owner of all necessary easements/right-of-way and other real property already acquired for this project. However, appropriated notices and signage will be made to the public and at the site as required pursuant to the necessary approval process.

For local funds, Allendale commits a match of \$315,625.00 for the duration of the grant performance period. The matching funds will be used to support the overall purpose of the Community Impact grant as proposed in our application. The source of the match is from our federal funds allocated by the 2021 American Rescue Plan Act (ARPA). These funds are authorized by statute for the use of match for appropriate projects serving rural communities.

In addition, the Town is requesting SC Rural Infrastructure Authority (RIA) state grant funds of \$500,000 to supplement the local investment requirement. As required, a copy of the Utility Viability Tool Results Summary has been completed and is included as part of this application.

Also, Allendale is committed to having a rate study completed for its utility service over the course of the next six (6) months to ensure it is collecting the appropriate amount of revenue. Allendale will adhere to the results of the rate study and will do what is necessary within its authority to implement the findings.

For the reasons as described in this application, I strongly recommend approval for funding of the Town of Allendale's SCIIP grant application. Thank you for the opportunity to compete for this round of funding.

Sincerely,

A handwritten signature in blue ink, appearing to read "Larry Cohen", is written over a horizontal line.

Larry Cohen
Mayor, Town of Allendale
Allendale, South Carolina

SC Water Utility Viability Tool Results

Date Completed: 9/8/2022

Utility Name

Town of Allendale

Viability Score

54 of 100

	Benchmark	Response	Viability Points Earned	Maximum Potential Points
<u>Step 1. Infrastructure</u>				
Primary System Service Population	> 10,000	10,001-50,000	6	6
Services Provided	-	Water & Sewer	-	-
Water Service				
Age of the majority of the water distribution system: assets:	50 years 30 years	45 40	See Below	-
Has your water utility had any sanitary survey inspections in the past 5 years? Unsatisfactory sanitary survey inspections? Notices of Violation for major public health violations and/or water quality violations (not routine or M/R NOVs) Consent or Administrative Orders?	Zero	YES YES YES	See Combined Below	
Monthly Residential Water Service Bill	-	\$24.57		
Sewer Service				
Age of the majority of the wastewater collection system: Age of the majority of the wastewater pumping and/or treatment assets:	50 years 30 years	45 30	See Below	-
Has your wastewater utility had any compliance inspections in the past 5 years? Notices of Violation for major public health violations and/or major sewer overflows (not routine or M/R NOVs) Consent or Administrative Orders?	Zero	YES YES	See Combined Below	
Monthly Residential Sewer Service Bill	-	\$30.70		
Water & Sewer Service				
Combined Non-Compliance Issues	See above	0	10	10
System Age (Distribution, Pumping, Collection, etc.)	See above	See above	0	6
Monthly Combined Service Bill	-	\$55.27		
<u>Step 2. Managerial/Operational</u>				
Do you have a current capital improvement plan?	Yes	Yes	1	1
Do you have an Asset Management Program?	Yes	No	0	1
Are your system assets mapped in a GIS System?	Yes	Yes	1	1
How many key staff positions within the organization are vacant and have been vacant for more than 3 months?	0	4	0	1
are vacant and have been vacant for more than three months?	0	0	1	1
Have the current members of your governing body (board or council) received training related to operation and management of a utility in the last 2 years?	0	Some	0	1
<u>Step 3. Socio-Economics</u>				
Primary Utility Service Area	-	0		12
Population Change	1.31%	-1.86%	0	3
Median Household Income	\$54,864.00	\$18,680.00	0	3
Poverty Rate	14.7%	37.7%	0	3
Unemployment Rate	6.2%	9.4%	0	3

Thank for using this self-assessment tool!

For information on viability resources, please visit ria.sc.gov/utility-viability

SC Water Utility Viability Tool Results

Date Completed: 9/8/2022

Utility Name

Town of Allendale

Viability Score

54 of 100

	Benchmark	Response	Viability Points Earned	Maximum Potential Points
Step 4. Financial			35	60
Step 4a. Balance Sheet				
Unrestricted Cash	-	-\$750,212.00	-	-
Total Outstanding Long Term Debt	-	\$3,635,190.00	-	-
Net Plant Assets	-	\$17,520,430.00	-	-
Step 4b. Income Statement				
Operating Revenue	-	\$1,550,642.00	-	-
Operating Expenses	-	\$1,393,057.00	-	-
Annual Depreciation Expense	-	\$238,421.00	-	-
Change in Net Assets	Greater than \$0	-\$119,801.00	0	5
Annual Interest Expense	-	-\$65,645.00	-	-
Step 4c. Statement of Cash Flows				
Annual Debt Principal Payments	-	-\$71,384.00	-	-
Step 4d. Fund Transfers				
Transfers to/from General	None	Yes	-	-
Transfers from General	None	Yes	0	5
Transfers between 5% and 10% of Gross Revenues)	None	No		
Transfers Exceeding 10% of Gross Revenues	None	No		
Step 4e. Calculation				
Debt Service Coverage	Greater than 1.10x	-2.89	0	10
Days Cash on Hand (Unrestricted)	Greater than 90 days	-237	0	10
Debt to Net Plant Assets	Less than 50%	20.7	5	5
Asset Conditions	Greater than 25 years	73	5	5
Free Cash Flow as % of Depreciation	Greater than 50%	196	10	10
Annual Bill as % of MHI			10	10
Water	2.00%	1.60%		
Sewer	2.00%	2.00%		
Combined	4.00%	3.60%		
State Benchmark			5	5
Water	\$41.39	Below 80th Percentile Benchmark		
Sewer	\$51.08	Below 80th Percentile Benchmark		
Combined	\$92.47	Below 80th Percentile Benchmark		

Thank for using this self-assessment tool!

For information on viability resources, please visit ria.sc.gov/utility-viability

**THE STATE OF SOUTH CAROLINA
BEFORE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

**IN RE: TOWN OF ALLENDALE
ALLENDALE COUNTY**

CONSENT ORDER

The South Carolina Department of Health and Environmental Control (Department) and Town of Allendale (Allendale) have agreed to the issuance of this Consent Order to include the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. Allendale owns and is responsible for the proper operation and maintenance of a wastewater collection system (WWCS) and a wastewater treatment facility (WWTF) located at SC-3-129, in Allendale County, South Carolina. The WWTF serves the residents and businesses of Allendale.
2. The South Carolina Department of Health and Environmental Control (Department) issued National Pollution Discharge Elimination System (NPDES) Permit SC0039918, authorizing Allendale to discharge treated wastewater to the Savannah River in accordance with effluent limitations, monitoring requirements and other permit conditions contained therein. The permit was issued effective on January 1, 2017, and expired December 31, 2021. The permit was administratively continued via Consent Order 21-072-W, issued by the Department on November 22, 2021.
3. Allendale reported violations of the permitted limitations for percent removal of carbonaceous biochemical oxygen demand (CBOD) on discharge monitoring reports

(DMRs) submitted to the Department for the September 2020, December 2020, January 2021, February 2021, March 2021, April 2021, and May 2021 monthly monitoring periods. Allendale reported violations of the permitted limitations for Escherichia coli (E.coli) on DMRs for the October 2021 and December 2021 monthly monitoring periods.

4. On July 13, 2021, Department staff issued a Notice of Violation (NOV) via certified mail to Allendale addressing violations which included failure to comply with the limits contained in its NPDES Permit for percent removal of CBOD during the September 2020, December 2020, January 2021, February 2021, March 2021, April 2021, and May 2021 monthly monitoring periods. The NOV requested a response from Allendale within ten (10) days of receipt. The certified mail copy of the NOV was delivered on July 23, 2021. The Department did not receive a response from Allendale within ten (10) days of receipt.
5. On September 3, 2021, Department staff spoke with Allendale regarding the violations presented in the NOV. Allendale explained the lack of response to the NOV as the contact on file with the Department no longer being employed with Allendale.
6. On September 17, 2021, Department staff conducted a Compliance Evaluation Inspection (CEI) of the WWTF of the Town of Allendale. Department staff took photographs to document the following observed deficiencies:
 - a. Both flow meter weirs were flowing over the maximum head;
 - b. Duckweed filled the stilling basin, and the stilling basin staff gauge was crooked;
 - c. The chlorination and de-chlorination rooms were not properly vented and operated without a leak detection alarm;
 - d. The scales for the chlorine room were not functional at the time of the inspection;
 - e. Aerators were not functioning;

- f. The chlorine contact chamber was submerged;
 - g. Effluent pumps for the facility were not operational;
 - h. Solids removal was not being performed resulting in blocked flow;
 - i. Evidence of a sanitary sewer overflow (SSO) was present; and
 - j. The lagoon concrete lining showed cracking.
7. On September 9, 2021, Department staff issued a Notice of Alleged Violation and Enforcement Conference (NOAV/EC) to Allendale via first class and certified mail. The NOAV/EC was delivered September 14, 2021.
8. On September 29, 2021, Department staff held an enforcement conference with Allendale to discuss violations including the percent CBOD removal. The parties discussed the issuance of a Consent Order containing a civil penalty.
9. On October 21, 2021, Department staff conducted an Operation and Maintenance (O&M) Inspection of the Town of Allendale. Department staff took photographs to document deficiencies:
- a. The mechanical bar screen was not operational;
 - b. The primary sedimentation pond had no aeration;
 - c. Severe cracking along the concrete basin liner was observed;
 - d. Excessive vegetation was present in all ponds;
 - e. Chlorination and de-chlorination rooms lacked proper safety precautions;
 - f. New scales for the chlorination and de-chlorination rooms were not calibrated;
 - g. Flow meters were not calibrated;
 - h. The staff gauge was not properly located; and
 - i. Duckweed was in the stilling well.

A WWCS O&M inspection was conducted immediately following the WWTF O&M inspection. Department staff took photographs to document deficiencies:

- a. At the Manor pump station, evidence of SSOs was present and not being addressed;
 - b. The Hill pump station had damaged fencing;
 - c. The Ozzie pump station had a downed fence;
 - d. The wet well for the Alan pump station was open;
 - e. The pumps for the Alan pump station were not secured properly;
 - f. Emergency signs were not present at any of the pump stations;
 - g. Erosion was present at the Ozzie pump station; and
 - h. Allendale did not provide an O&M plan or Emergency Operation Plan for the collection system or pump stations.
10. On October 29, 2021, Department staff issued a copy of the inspection reports associated with the CEI performed on September 17, 2021 and the WWTF and WWCS O&M inspections performed on October 21, 2021, via certified and first-class mail, to the Town of Allendale. The WWTF and WWCS were listed as Non-Compliant based on the inspections performed. The inspection report cover letters requested a mailed response to the inspections, detailing how Allendale would address the indicated deficiencies, within fifteen (15) days of receipt of the letters. The inspection reports were both delivered on November 9, 2021. A response was not provided within the fifteen (15) daytime period detailed in the letters.
11. On January 6, 2022, Department staff issued a NOAV/EC to Allendale via first class and certified mail. The notice was delivered on January 13, 2022.

12. On January 7, 2022, Department staff issued a NOV, via certified mail, to Allendale addressing violations which included failure to comply with the limits contained in its NPDES Permit for E.coli during the October 2021 monthly monitoring periods. Allendale included a comment with the DMRs for E.coli for October 2021, stating the violations occurred under a different contractor and an explanation was not provided by that contractor, resulting in the NOV not requiring a response. The certified mail copy of the NOV was delivered on January 13, 2022.
13. On January 19, 2022, Department staff held an enforcement conference for Allendale to discuss the permit violations and O&M violations. Allendale explained several O&M violations acknowledged in the NOAV/EC have already been addressed and the remaining violations would be addressed following procurement of funding. Allendale explained the CBOD violations have been resolved with the repairs already performed at the WWTF. Department staff requested more information regarding the WWCS O&M violations and Inflow and Infiltration (I&I) evidenced in the system. Allendale responded by acknowledging the WWCS would need to be fixed but would be difficult to fix while the WWTF is still facing operational difficulties. The issuance of a Consent Order containing a civil penalty was discussed.
14. On April 26, 2022, Department staff spoke with Allendale regarding the E.coli violations for October 2021 and December 2021. The parties discussed the addition of the E.coli violations and civil penalties to this Order.

CONCLUSIONS OF LAW

Based upon the above Findings of Fact, the Department reaches the following Conclusions of Law:

1. Allendale violated the Pollution Control Act, S.C. Code Ann. § 48-1-110(d), Water Pollution Control Permits Regulation S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(1), and NPDES Permit SC0039918, Part II(A) and Part III(A) by failing to comply with effluent discharge limits for percent removal of CBOD as contained in NPDES Permit SC0039918, failing to comply with effluent discharge limits for E.coli as contained in NPDES Permit SC0039918, and failing to properly operate and maintain all the facilities and systems in good working order.
2. The Pollution Control Act, S.C. Code Ann. § 48-1-330, provides for a civil penalty not to exceed ten thousand dollars (\$10,000.00) per day of violation for any person violating the Act or any rule, regulation, permit, permit condition, final determination, or Order of the Department.

NOW, THEREFORE, IT IS ORDERED, CONSENTED TO AND AGREED, pursuant to the Pollution Control Act, S.C. Code Ann. § 48-1-50 and 48-1-100, that Town of Allendale shall:

1. Within thirty (30) days of the execution date of this Order, submit to the Department a notarized document certifying that Allendale has finalized a detailed plan for securing funding for necessary improvements to the WWTF. The plan shall include alternate sources of funding to pursue in the event the preferred funding source is not attainable.
2. Within ninety (90) days of the execution date of this Order, submit to the Department a preliminary engineering report (PER), via the Department's ePermitting online system, detailing the corrective actions and upgrades necessary to comply with effluent limitations and operation and maintenance requirements contained in the NPDES permit. The PER

(NPDES PER) should be prepared in accordance with the requirements specified in Standards for Wastewater Facility Construction, S.C. Code Ann. Regs 61-67.

3. Within ninety (90) days from the Department's approval of the NPDES PER, required in item 2, submit to the Department three (3) copies of plans, specifications, an application and any other necessary documents for a Permit to Construct upgrades to the WWTF necessary to comply with the limits contained in NPDES Permit SC0039918. The wastewater construction application package must be administratively and technically complete and prepared in accordance with Standards for Wastewater Facility Construction, S.C. Code Ann. Regs. 61-67.
4. Within sixty (60) days from the issuance of a Construction Permit issued subsequent to the application package required by item 3, begin construction of all upgrades associated with the WWTF, as detailed within such Construction Permit.
5. Within one hundred eighty (180) days from the issuance of the Construction Permit described in item 4, complete all construction activities associated with the WWTF and request an Approval to Place into Operation the required upgrades from Department's Midlands Environmental Affairs Orangeburg Office.
6. Within one hundred twenty (120) days of the execution date of this Order, submit to the Department a PER, via the Department's ePermitting online system, prepared by a South Carolina certified engineer addressing assessment of the WWCS. The PER (WWCS PER) shall include: A full assessment and evaluation of the entire WWCS, including all sewer lines, manholes, pump stations, wet wells, and all associated appurtenances; recommendations for repairs and improvements to the WWCS with projects ranked and grouped for prioritization based upon established criteria, including but not limited to,

environmental sensitivities (i.e. SSOs), I&I, code issues, O&M, and design standards; cost estimates for work and materials; scope of work; and a schedule of implementation and completion.

7. Within ninety (90) days of the Department's approval of the WWCS PER, required in item 6, submit to the Department three (3) copies of plans, specifications, an application and any other necessary documents for a Permit to Construct upgrades to the WWCS necessary to address any repairs and improvements to the WWCS. The wastewater construction application package must be administratively and technically complete and prepared in accordance with Standards for Wastewater Facility Construction, S.C. Code Ann. Regs. 61-67.
8. Within sixty (60) days from the issuance of a Construction Permit issued subsequent to the application package required by item 7, begin construction of all WWCS upgrades detailed within such Construction Permit.
9. All construction activities and a request for Approval to Place into Operation the required upgrades to the WWCS must be submitted to the Department's Midlands Environmental Affairs Orangeburg Office, per the Construction Permit described in item 8.
10. Pay to the Department, a civil penalty in the amount of six thousand one hundred seventy-five dollars (\$6,175.00) within thirty (30) days of the execution date of this Order.

THE PARTIES FURTHER STIPULATE that Allendale shall pay a stipulated penalty in the amount of six thousand one hundred seventy-five dollars (\$6,175.00) should it fail to comply with any requirement pursuant to this Consent Order. Such penalties shall be due and payable upon written notice to Allendale. The Department's determination that a requirement has not been met shall be final. All penalties due under this paragraph shall be made payable to the South Carolina

Department of Health and Environmental Control within thirty (30) days of notification by the Department. The stipulated penalties set forth above shall be in addition to any other remedies or sanctions which may be available to the Department by reason of Allendale's failure to comply with any requirement of this Order.

PURSUANT TO THE ORDER, communications regarding this Order and its requirements, including civil penalty payments, shall be addressed as follows:

Harold Taylor III, Enforcement Project Manager
SCDHEC, Bureau of Water – WP Enforcement Section
2600 Bull Street
Columbia, South Carolina 29201

The Order number should be included on all checks remitted as payment of the civil penalty.

IT IS FURTHER ORDERED AND AGREED that the parties are not relying upon any representations, promises, understandings, or agreements associated with the financial funding necessary to successfully fulfill the requirements of this Order, except as expressly set forth within this Order.

IT IS FURTHER ORDERED AND AGREED that failure to comply with any provision of this Order shall be grounds for further enforcement action pursuant to the Pollution Control Act, S.C. Code Ann. § 48-1-330, to include the assessment of additional civil penalties.

IT IS FURTHER ORDERED AND AGREED that this Consent Order governs only the civil liability to the Department for civil sanctions arising from the matters set forth herein and constitutes the entire agreement between the Department and Town of Allendale, with respect to the resolution and settlement of these civil matters. The parties are not relying upon any

representations, promises, understandings or agreements except as expressly set forth within this Order.

THE PARTIES UNDERSTAND that the “execution date” of the Order is the date the Order is signed by the Director of Environmental Affairs.

[Signature Page Follows]

**FOR THE SOUTH CAROLINA DEPARTMENT
OF HEALTH AND ENVIRONMENTAL CONTROL**

Myra C. Reece
Director of Environmental Affairs

Date: _____

Jennifer R. Hughes, Bureau Chief
Bureau of Water

Date: _____

Rob Devlin, Assistant Bureau Chief
Bureau of Water

Date: _____

Reviewed By:

Attorney
Office of General Counsel

Date: _____

WE CONSENT:

TOWN OF ALLENDALE

James L. Cohen, Mayor

Date: _____

Hattie Jackson, Town Council Member

Date: _____



Bureau of Water
February 14, 2022

CERTIFIED MAIL 9214 8969 0099 9790 1421 0624 14

Town of Allendale
Attn: Mayor Larry Cohen
PO Box 551
Allendale, SC 29810

RE: **Consent Order No. 22-006-DW**
Town of Allendale
Public Water System No. 0310001
Allendale County

Dear Mayor Cohen:

I have enclosed a copy of the executed South Carolina Department of Health and Environmental Control Consent Order No. 22-006-DW (Order) for your records. The execution date of the Order is February 10, 2022.

If you have any questions or wish to discuss any matters in reference to the Order requirements, please contact me by e-mail at parkerts@dhec.sc.gov or by telephone at (803) 898-7419.

Sincerely,

Tessa Parker
Drinking Water Enforcement Section

Enclosure

cc: Low Country BEHS Orangeburg office
Town of Allendale Council Members
Jay Kates, Water Systems, Inc.
Kenneth Davis, Attorney

**THE STATE OF SOUTH CAROLINA
BEFORE THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

**IN RE: TOWN OF ALLENDALE
PUBLIC WATER SYSTEM NO. 0310001
ALLENDALE COUNTY**

CONSENT ORDER

22 - 006 - DW

The South Carolina Department of Health and Environmental Control (Department) and the Town of Allendale (Owner) have agreed to the issuance of this Consent Order to include the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. The Owner owns and is responsible for the proper operation and maintenance of the public water system No. 0310001 (PWS) that serves the businesses and residents of the Town of Allendale located in Allendale County, South Carolina.
2. The PWS consists of two (2) permanent wells that are online (G03102 - Well 2 Water Street and G03114 - Well 4 Patterson Street), two groundwater treatment plants that are online (B03001 – Water Street Plant and B03003 – Patterson Street Plant), one (1) two hundred fifty thousand (250,000) gallon elevated storage tank (Water Street Tank), one (1) three hundred thousand (300,000) gallon elevated storage tank (Spruce Street Tank), and one thousand five hundred twenty-four (1,524) service connections. The PWS serves a population of approximately three thousand nine hundred (3,900), and is classified by the Department as a community water system. Additionally, there is one (1) well that is offline, in disrepair, and has not been properly abandoned (G03103 – Well 3 Googe Street), one (1) groundwater treatment plant that is currently offline (B03002 – Googe

Street Plant), and one (1) well (G03143 - Well 5 Spruce Street) and one (1) groundwater treatment plant (B03004 - Spruce Street Plant) that have been permitted, constructed, and have received final approval to operate, but have not been placed online. There is also a new well currently under construction on Googe Street that was permitted under Water Supply Construction Permit No. 34396-WS.

3. On December 1, 2021, Department staff conducted a sanitary survey of the PWS which resulted in an “unsatisfactory” rating due to the following deficiencies:
 - A. Source Protection from Contamination was rated “unsatisfactory” in that Well 3 had not been properly abandoned, there was a piece of plywood covering the well, and there were roaches entering the well. Additionally, construction of the new well on Googe Street had ceased due to material shortages, and the well driller left the well open with the drill bit in the bore hole.
 - B. Equipment Maintenance was rated “unsatisfactory” in that the chlorine cylinder scales at the Well 2 – Water Street Plant and the Well 4 – Patterson Street Plant did not work and have not been operational since 2016, the scales have not been calibrated yearly, and the fan in the chlorine room at Well 4 – Patterson Street Plant was not operational.
 - C. Cross Connection Control was rated “unsatisfactory” in that a written program for identifying and eliminating cross-connections between the PWS and possible sources of contamination was not provided for Department review.
 - D. Fire Flow was rated “unsatisfactory” in that flow testing records documenting that all fire hydrants were flow tested within the last three (3) years were not provided for Department review.
 - E. Valve Maintenance was rated “unsatisfactory” in that a written program and records for inspecting, exercising, and maintaining system valves were not

provided for Department review.

- F. Flushing Program was rated “unsatisfactory” in that a written flushing program and records were not provided for Department review.
- G. Leak Detection and Repair was rated “needs improvement” in that a written program and records for detecting and repairing leaks within the system were not provided for Department review.
- H. Water Audit was rated “unsatisfactory” in that a written program and records to account for the water distributed as being either consumed or lost were not provided for Department review.
- I. Storage Security was rated “unsatisfactory” in that a section of the perimeter fencing around the Spruce Street Tank was missing and was not secured to prevent unauthorized access.
- J. Monitoring/Record Keeping was rated “unsatisfactory” in that copies of records for water quality monitoring, program reports, and summaries were not provided for Department review.
- K. Facility Maintenance was rated “needs improvement” in that the fencing around the Spruce Street Tank was not maintained.
- L. Corrections from Previous Survey was rated “unsatisfactory” in that the deficiencies from the previous survey had not been corrected.

At least one (1) of the above noted deficiencies constitutes a significant deficiency under the Ground Water Rule.

- 4. On January 6, 2022, Department staff held an enforcement conference with the Owner’s representatives to discuss the violation as outlined above. During the conference, the Owner’s representatives stated that they were planning to bring Well 5 online, complete the installation of the new well on Googe Street, and have Well 3 properly abandoned by

a South Carolina certified well driller. The Owner's representatives also stated that they have ordered a new set of chlorine cylinder scales, purchased a new fan to install in the chlorine room at the Well 4 – Patterson Street Plant, and contacted South Carolina Rural Water Association to assist with fire flow testing. The possibility of a Consent Order was also discussed.

CONCLUSIONS OF LAW

Based upon the above Findings of Fact, the Department, pursuant to the State Safe Drinking Water Act, S.C. Code Ann. §§ 44-55-10 to 44-55-120, reaches the following Conclusions of Law:

1. The Owner violated the State Primary Drinking Water Regulation, 4 S.C. Code Ann. Regs. 61-58.7, in that it failed to properly operate and maintain the PWS.
2. The State Safe Drinking Water Act, S.C. Code Ann. § 44-55-90(B), provides for a civil penalty not to exceed five thousand dollars (\$5,000.00) a day per violation for any person violating the Act.

NOW, THEREFORE, IT IS ORDERED, CONSENTED TO AND AGREED, pursuant to the State Safe Drinking Water Act, S.C. Code Ann. §§ 44-55-10 to 44-55-120, that the Owner shall:

1. By April 1, 2022, replace the chlorine cylinder scales at the Well 2 – Water Street Plant and the Well 4 – Patterson Street Plant, calibrate them so that they are accurate and operational, and place them online.
2. By April 1, 2022, replace the fan in the chlorine room at the Well 4 – Patterson Street Plant.
3. By April 1, 2022, repair or replace the missing section of perimeter fencing at the Spruce Street Tank and ensure the fencing is secured to prevent unauthorized access.

4. By April 1, 2022, submit to the Department for review and approval a written leak detection and repair program that includes a process for detecting and repairing leaks within the system, a routine schedule for inspecting the system for leaks, and an inspection log sheet.
5. By April 1, 2022, submit to the Department for review and approval a written flushing program that includes a systematic plan for flushing the entire distribution system. The flushing program shall also include a list of the flushing locations, and a flushing log sheet.
6. By April 1, 2022, submit to the Department for review and approval written procedures for the operation and maintenance of the PWS under normal operating conditions and during emergency situations. The operation and maintenance procedures shall include a schedule for inspecting the wellhead piping and storage tank(s) and an inspection log sheet.
7. By July 1, 2022, submit to the Department for review and approval a water audit program to properly account for the amount of water distributed as either consumed or loss, and to control water loss. The water audit program shall include the total amount of water pumped from Well 2 and Well 4 during the last twelve (12) months.
8. By July 1, 2022, have Well 3 properly abandoned by a South Carolina certified well driller in accordance with State Primary Drinking Water Regulation, 4 S.C. Code Ann. Reg. 61-58.2.B.(15) and submit to the Department the Water Well Record Form 1903 for the abandonment.
9. By July 1, 2022, complete the installation of the new well on Googe Street in accordance with Water Supply Construction Permit No. 34396-WS, and contact the Department's Low Country Bureau of Environmental Health Services (BEHS) Orangeburg office at

- (803) 553-5490 to schedule an inspection to obtain written approval to place into operation.
10. By July 1, 2022, make any necessary upgrades and repairs to Well 5 and the Well 5 – Spruce Street Plant, and contact the Department’s Low Country BEHS Orangeburg office at (803) 553-5490 to schedule an inspection for Department staff to verify the work is completed and Well 5 and the Well 5 – Spruce Street Plant are in compliance with State Primary Drinking Water Regulation, 4 S.C. Code Ann. Regs. 61-58 prior to placing them online.
 11. By July 1, 2022, submit to the Department for review and approval a written cross connection control program. The program shall state how the Owner intends to identify existing cross connections and prevent new cross connections. The program shall also clearly state the Owner’s policy for selection, installation, and annual testing of all of the backflow prevention devices at the PWS.
 12. By August 1, 2022, complete testing of all of the backflow prevention devices at the PWS, and submit of copy of the test reports to the Department for review and approval.
 13. Within one hundred twenty (120) days of the date of the Department’s written approval that the backflow prevention devices test reports are complete, repair or replace all of the backflow prevention devices documented as inadequate or inoperable on the reports, test the repaired and/or replaced devices, and submit the test reports to the Department for review and approval.
 14. By August 1, 2022, submit to the Department for review and approval a written fire hydrant maintenance program to include plans for inspecting, maintaining, exercising, and testing fire hydrants. The program shall also include a fire hydrant maintenance worksheet that documents any maintenance work performed.

15. By August 1, 2022, flow test all of the fire hydrants located within the Town of Allendale's service area and submit the test reports to the Department for review and approval. Each report shall include the flow from each hydrant, the static and residual pressure of each hydrant, and the date and time the test was conducted.
16. Within one hundred twenty (120) days of the date of the Department's written approval that the fire hydrant test reports are complete, repair or replace all fire hydrants documented as inadequate or inoperable, flow test the repaired and/or replaced hydrants, and submit the test reports to the Department for review and approval.
17. By September 1, 2022, complete an assessment to identify the location of all of the PWS's valves, and submit to the Department for review and approval a written valve maintenance program for inspecting, exercising, and maintaining the valves. The program shall include an updated system map indicating the location and identification of all of the valves, and a list of the valves with the valve number, size, type, and location. The program shall also include a procedure for operating the valves with a schedule for regular exercise and routine maintenance, a valve operation worksheet indicating the date the valve was last exercised and the direction and number of turns to close the valve, and a valve maintenance worksheet that documents any maintenance work performed.
18. Within one hundred twenty (120) days of the date of the Department's written approval that the valve maintenance program is complete, repair or replace the valves documented as inadequate or inoperable.

THE PARTIES FURTHER STIPULATE that the Owner shall pay a civil penalty of four thousand dollars (\$4,000.00) should it fail to comply with any requirement pursuant to this Consent Order, including any implementation schedule approved by the Department. Such penalties shall be due and payable upon written notice to the Owner. All penalties due under this paragraph shall be made payable to the South Carolina Department of Health and Environmental

Control within thirty (30) days of notification by the Department. The stipulated penalties set forth above shall be in addition to any other remedies or sanctions which may be available to the Department by reason of the Owner's failure to comply with the requirements of this Order. The Department's determination that the requirements have not been met shall be final.

PURSUANT TO THIS ORDER, communications regarding this Order and its requirements are to include the Order number and shall be addressed as follows:

Tessa Parker
S.C. Department of Health and Environmental Control
Bureau of Water-Drinking Water & Recreational Waters Protection Division
Drinking Water Enforcement Section
2600 Bull Street
Columbia, SC 29201

IT IS FURTHER ORDERED AND AGREED that this Consent Order governs only the civil liability to the Department for civil sanctions arising from the matters set forth herein and constitutes the entire agreement between the Department and the Town of Allendale with respect to the resolution and settlement of these civil matters. The parties are not relying upon any representations, promises, understandings, or agreements except as expressly set forth within this Order.

IT IS FURTHER ORDERED AND AGREED that failure to comply with any provisions of this Order shall be grounds for further enforcement action pursuant to the State Safe Drinking Water Act, S.C. Code Ann. § 44-55-80(A), to include the assessment of additional civil penalties.

THE PARTIES UNDERSTAND that the execution date of the Order is the date the Order is signed by the Director of Environmental Affairs.

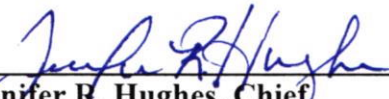
[signature page follows]

FOR THE SOUTH CAROLINA DEPARTMENT
OF HEALTH AND ENVIRONMENTAL CONTROL




Myra C. Reece
Director of Environmental Affairs

Date: 2/10/2022



Jennifer R. Hughes, Chief
Bureau of Water

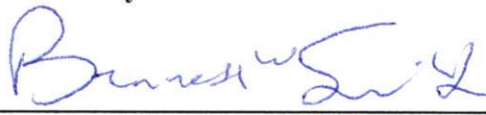
Date: 2-10-22



Douglas B. Kinard, P.E., Director
Drinking Water & Recreational Waters Protection Division
Bureau of Water

Date: 2-10-22

Reviewed by:



Attorney
Office of General Counsel

Date: 2-10-22

FOR THE TOWN OF ALLENDALE



Signature

Date: 1/27/22

James L. Cohen (Mayor)
Print or type name and title

Brad Hutto

Senate Office Address:
510 Gressette Senate Office Building
Post Office Box 142
Columbia, South Carolina 29202
Telephone: (803) 212-6140
Email: bradhutto@scsenate.gov

Home Office Address:
Post Office Box 1084
Orangeburg, South Carolina 29116
Telephone: (803) 534-5218
Fax: (803) 536-6544



Senate Minority Leader

Committees:
Banking and Insurance
Education
Ethics
Fish, Game and Forestry
Judiciary
Interstate Cooperation
Legislative Oversight
Medical Affairs
State Regulation of Public Utilities
Review Committee
Joint Citizens and Legislative
Committee on Children

June 6, 2022

**Bonnie Ammons, Executive Director
SC Rural Infrastructure Authority
1201 Main Street, Suite 1600
Columbia, SC 29201**

Re: Letter of Support for Town of Allendale

Dear Ms. Ammons,

Please accept this letter as an expression of my support of the Town of Allendale and their Rural Infrastructure Grant. The facility in the Town of Allendale is the only wastewater treatment provider in the county of Allendale, and it receives wastewater generated by residents of the Town of Allendale, the Town of Fairfax, the Town of Gifford, the Allendale Correctional Institute, SCDC and Allendale County Schools (Middle and High Schools).

As one of the Senators representing this area, I am keenly aware of the needs and am supportive of the Town of Allendale's efforts as this will not only better the lives of the residents but will also contribute to increased development in the area. This letter is to acknowledge my full support of the town's effort in seeking funding to help address many of the challenges the Town is facing with both its water and wastewater systems.

This service provided by the Town of Allendale is vital to growth in this part of the State of South Carolina. Thank you for the support that you provide to address the many infrastructure needs in our rural communities.

Sincerely,

A handwritten signature in blue ink that reads "Brad Hutto".

Brad Hutto

Charles R (Rick) Gooding
Chairman

Matthew Connelly
Vice-Chairman

H. Carl Gooding
Councilmember

Theresa H. Taylor
Councilmember

William Robinson
Councilmember



J. William Goodson, IV
Administrator

Esther Bridges
Finance Director

Judy Kinard
Clerk to Council

Walter H. Sanders
County Attorney

June 2, 2022

SC Rural Infrastructure Authority
1201 Main Street, Suite 1600
Columbia, SC 29201

Re: Letter of Support for the Town of Allendale

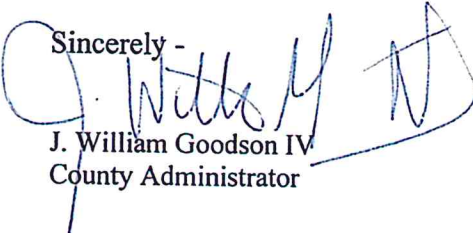
Dear Sir/Madam -

The Town of Allendale is the only wastewater treatment provider in Allendale County. The wastewater treated at the plant receives wastewater generated by residents of the Town of Allendale, Town of Fairfax, Town of Gifford, the Allendale Correctional Institute (SCDC) and Allendale County Schools.

The water and wastewater service provided by the Town of Allendale is vital to the rural development in this part of the state of South Carolina. This letter is to acknowledge my full support of the town's effort in seeking funding to help address many of the challenges the Town of Allendale is facing with both its water and wastewater systems.

Thank you for the support that you provide to address the many infrastructure needs in our rural communities and other places across the state.

Sincerely -


J. William Goodson IV
County Administrator

Allendale County Mission Statement

To operate Allendale County in a cost effective manner that will facilitate and enhance the quality of life for all of its citizens.



Town of Fairfax

Post Office Drawer 8
Fairfax, South Carolina 29827
803-632-3111 • 803-632-2100
Fax 803-632-3799

June 9th, 2022

SC Rural Infrastructure Authority
1201 Main Street, Suite 1600
Columbia, SC 29201

Re: Letter of Support for Town of Allendale

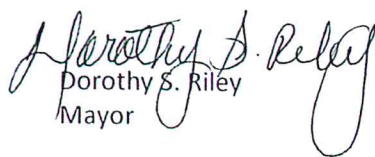
Dear Sir/Madam,

The Town of Allendale is the only wastewater treatment provider in the county of Allendale. The wastewater treated at the plant receives wastewater generated by residents of the Town of Allendale, the Town of Fairfax, the Town of Gifford, the Allendale Correctional Institute, SCDC and Allendale County Schools (Middle and High Schools).

The water and wastewater service provided by the Town of Allendale is vital to the rural development in this part of the state of South Carolina. This letter is to acknowledge my full support of the town's effort in seeking funding to help address many of the challenges the Town is facing with both its water and wastewater systems.

Thank you for the support that you provide to address the many infrastructure needs in our rural communities and other places across the state.

Sincerely,


Dorothy S. Riley
Mayor

Allendale COUNTY SCHOOLS

Dr. Margaret Gilmore, Superintendent

June 2, 2022

SC Rural Infrastructure Authority
1201 Main Street, Suite 1600
Columbia, SC 29201

Re: Letter of Support for the Town of Allendale

Dear Sir/Madam:

The water and wastewater services provided by the Town of Allendale are vital to the rural development in this part of the state. This letter is to acknowledge the school district's full support of the town's efforts in seeking funding to mitigate the many challenges the Town is facing with both its water and wastewater systems.

The Town of Allendale is the only wastewater treatment provider in the county of Allendale. The wastewater treated at the plant receives wastewater generated by residents of the Town of Allendale, the Town of Fairfax, the Town of Gifford, the Allendale Correctional Institute, SCDC and Allendale County Schools (Middle and High Schools).

Thank you in advance for providing the needed support and funding to address the many infrastructures' needs in our small rural communities.

With regards,



Dr. Margaret Gilmore,
Superintendent



HENRY McMASTER, Governor
BRYAN P. STIRLING, Director

June 14, 2022

SC Rural Infrastructure Authority
1201 Main Street, Suite 1600
Columbia, SC 29201

Re: Letter of Support for Town of Allendale

Dear Sir/Madam,

The Town of Allendale is the only wastewater treatment provider in the county of Allendale. The wastewater treated at the plant receives wastewater generated by residents of the Town of Allendale, the Town of Fairfax, the Town of Gifford, the Allendale Correctional Institute, SCDC and Allendale County Schools (Middle and High Schools).

The water and wastewater service provided by the Town of Allendale is vital to the rural development in this part of the state of South Carolina. This letter is to acknowledge my full support of the town's effort in seeking funding to help address many of the challenges the Town is facing with both its water and wastewater systems.

Thank you for the support that you provide to address the many infrastructure needs in our rural communities and other places across the state.

Sincerely,

A handwritten signature in black ink that reads "Bryan P. Stirling". The signature is written in a cursive style.

Bryan P. Stirling

BPS/ndh

GOODING AND GOODING, P.A.

ATTORNEYS AT LAW

265 BARNWELL HIGHWAY
POST OFFICE BOX 1000
ALLENDALE, SOUTH CAROLINA 29810

H. WOODROW GOODING
ELIZABETH KEARSE GOODING
MARK B. TINSLEY
LAINE BRABHAM GOODING

TELEPHONE NUMBER
(803) 584-7676
FACSIMILE NUMBER
(803) 584-3614

July 6, 2022

S.C. Rural Infrastructure Authority
1201 Main Street, Suite 1600
Columbia, SC 29201

Re: Letter of Support for Town of Allendale

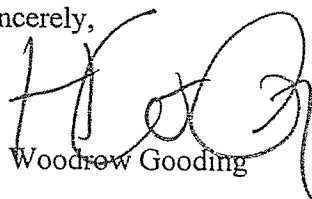
Dear Sir/Madam,

The Town of Allendale is the only wastewater treatment provider in Allendale County. The wastewater treated at the plant receives wastewater generated by residents of the Town of Allendale, the Town of Fairfax, the Town of Gifford, the Allendale Correctional Institute, SCDC and the Allendale County Schools.

The water and wastewater service provided by the Town of Allendale is vital to the rural development in this part of the state of South Carolina. This letter is to acknowledge my full support of the town's effort in seeking funding to help address many of the challenges the town is facing with both its water and wastewater systems.

Thank you for the support that you provide to address the many needs for infrastructure in our rural communities and other areas across the state.

Sincerely,



H. Woodrow Gooding

HWG/rfl



July 25, 2022

Ms. Hattie Jackson
Councilwoman, Town of Allendale
1296 Main St South
Allendale.SC 29810

Re: Letter of Support for the Town of Allendale

Dear Councilwoman Jackson,

The Lowcountry Regional Water System owns and operates the wastewater collection system in the Town of Gifford in Hampton County. The Town of Gifford's wastewater is pumped to the Town of Fairfax in Allendale County and then pumped to the Town of Allendale's wastewater treatment facility for final treatment and disposal.

The water and wastewater service provided by the Town of Allendale is vital to the region and the Lowcountry Regional Water system in Hampton County. This letter is to acknowledge our full support of the town's effort in seeking funding to help address many of the challenges the Town is facing with both its water and wastewater systems.

Thank you for the support that you provide to address the many infrastructure needs and promoting clean safe water and wastewater services to the rural communities of our region and state.

Sincerely,



Brian Burgess,
General Manager

Cc: file