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January 9, 2009

Earle McFarlane
Commander
Seventh Coast Guard District
909 SE First Avenue
Miami, FL 33131

Subject: Regional Response Team IV (RRT)
Pre-Authorization Policy for Use of Solidifiers (policy)

Dear Commander McFarlane:

The Department of Health and Environmental Control (Department) has reviewed the RRT policy on pre-authorizing the use of solidifiers for oil spill mitigation in the State of South Carolina. Per the Oil and Gas Act of South Carolina as cited below, the Department has the authority to require clean up of oil spills within our state.


§48-43-560 of the South Carolina Code of law states, "(1) Any person discharging pollutants in violation of this article shall immediately undertake to contain, remove, and abate the discharge to the Department's satisfaction..."

The State of South Carolina concurs with the Pre-authorization policy set forth by the RRT in the case of contained solidifiers used in the form of pads, pillows, and other contained forms when used as sorbents per the policy. However, the approval for use of the loose form of any solidifier will be on a case-by-case basis. Therefore, the following additional conditions will apply in South Carolina under this RRT policy:

1. Notification regarding the use of contained solidifiers per the policy or a request for the use of loose solidifiers shall be directed to the Division of Waste Assessment and Emergency Response's Duty Officer at (888) 481-0125 (24-hour toll free number).
2. The approval for the application of LOOSE solidifiers shall be made on a case-by-case basis.

If you have any questions, please don't hesitate to contact Mr. Paul Lee of the Emergency Response Section at (803) 896-4113.

Sincerely,


Robert W. King Jr., P.E.
Deputy Commissioner
Environmental Quality Control

cc: Shane Hitchcock, USEPA
Paul Lee, DHEC