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Terry Creek cleanup a long-time coming, not done yet

By WES WOLFE wwolfe@thebrunswicknews.com Dec 31, 2018



The Terry Creek outfall ditch, Dupree and Terry creeks are visible in this aerial photograph taken July 6.

Wes Wolfe/The Brunswick News

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On a warm April day in 1972, industry representatives, elected officials and others gathered for an Earth Day celebration at Brunswick Junior College. Sensing a new breeze blowing, with the establishment of the federal Environmental Protection Agency in 1970 and the newly created state Environmental Protection Division, those industry leaders tried to put their best foot forward.

Few companies had the high profile of Hercules, with its plant a Brunswick institution for decades and located a short walk from the BJC campus. Hercules plant manager Harold Hicks told those gathered that the future was bright for the revitalization of the Terry Creek outfall site, where for years — before the passage of applicable legislation — Hercules drained toxaphene waste into the marsh.

The News reported the next day, “Hicks noted that the dredging this spring by the Corps of Engineers of Terry Creek where Hercules formerly discharged wastes, will further improve the total environment picture of the creek. Terry Creek, which was previously dead is now alive with fish, and will become a popular fishing and recreational area, he added.”

It didn't quite go that way over the coming 46 years.

As we say goodbye to 2018 and look to what 2019 has to offer, the situation at Terry Creek is yet to be settled, though the consent agreement entered into by Hercules and the EPA in federal court seeks to do that. Daniel Parshley, who recently retired from his leadership of the Glynn Environmental Coalition, spent nearly three decades closely involved with cleanup processes in Glynn County's most polluted sites.

The GEC was founded in 1990, and into the 1990s, the EPA started up a “community-based environment environmental assessment of Glynn County,” which was called the Brunswick Initiative. The Hercules 009 Landfill was the first site to go into the Superfund program, but indications were multiple sites across the county could potentially also fall into Superfund status. The Terry Creek outfall was one of those sites.

“I initially got involved for a three-year period — as you know now, it's 28 years,” Parshley said. “And, we discovered a myriad of problems. We discovered that the analytical method being used did not detect the poison. That was a long process with the inspector general and the EPA developing another method, or, establishing the correct method as the EPA method, and the EPA said they weren't going to do anything out there until that was done. Even though the EPA knew what had to be done out there, they facilitated a 20-year delay.

“In that period, our community has come a long way and formed a vision for the future, of what they want that area to be, and the EPA has not kept up with that. We have one of the last unrealized waterfronts on the East Coast, and that's a real asset to our community, and we'd like to get Terry Creek behind us so we can realize that economic opportunity.”

The GEC, partially assisted through grant funding by the EPA, has been closely involved in the process of dealing with the county's Superfund sites. It wasn't until 1997 that efforts at Terry Creek began to take on some speed, as the EPA put the site under consideration for the National Priority List.

John McKeown, on staff at the EPA's waste management division, told The News in February 1997, "We finally have enough data to see if it needs to be on the list," but that it didn't pose the sort of immediate danger as the LCP Chemicals site.

David Smith Jr., the Hercules plant manager at the time, said the company discovered in 1993 that toxaphene was migrating along the N Street ditch and into Terry Creek. Holes in the "old covered culvert" allowed contaminated soil to seep in and go out into the marsh. Repairs with plastic piping in 1995 and 1996 were believed to have solved that part of the problem.

In 1999 and 2000, dredging removed around 35,000 cubic yards of contaminated sediment from the site, though fish consumption advisories remain in effect for Dupree and Terry creeks, contrary to the expectations of the Hercules plant manager 46 years ago.

The site "was never finalized on the NPL," according to the EPA, but instead covered by the Superfund Alternative Approach, in which there's a cleanup settlement between the responsible party, Hercules, and the federal government. It's that proposed settlement that's ruffled so many feathers over the past year.

Presented with a number of different options, the EPA and Hercules agreed to what is expected to be the least-costly effort, which involves rerouting the current discharge at the site into a concrete-lined channel, with a geo-textile fabric placed over the existing sediment to ideally keep it in place.

Late in 2017, Tim Hassett, a remediation project manager with Ashland, Hercules' parent corporation, said, "(Toxaphene) really wants to be in the sediment, and it just sits in there. It doesn't want to be in the water at all. If you've ever seen it, it's like sap."

Parshley said it's a literal coverup of the problem, not a cleanup. Local elected officials haven't been pleased, either. In September, Brunswick city and Glynn County commissioners passed resolutions opposing the consent agreement.

The resolutions said, in part, that the city and the county urge "the U.S. Environmental Protection Agency and U.S. Department of Justice to reconsider the selected remedial action set forth in the consent decree and to withdraw and/or amend the proposed consent decree to require the complete removal of all contamination; and requesting that the members of the United States Congress and the Georgia General Assembly representing the city of Brunswick and Glynn County oppose the remedial action set forth in the consent decree...."

The General Assembly delegation – state Reps. Don Hogan and Jeff Jones, and state Sen. William Ligon – announced their support of the position taken by the city and county. U.S. Rep. Buddy Carter, R-1, said he had problems with the agreement and has been in touch with the EPA about it.

At present, the ball is in the hands of the Justice Department, which filed a status report Dec. 11, informing the court as to where the process stands now.

According to the report, “If, after reviewing the public comments, the United States concludes that the consent decree should be entered, the United States will seek the entry of the consent decree as an order of the court.”

Wes Wolfe