

# Lawsuit claims Irmo plant polluted Saluda River with toxic chemicals

July 3 2024, by Sammy Fretwell, The State (Columbia, S.C.)

---



Credit: CC0 Public Domain

A hulking manufacturing plant in Irmo is being accused of contaminating the lower Saluda River and drinking water supplies after dumping toxic forever chemicals into the scenic waterway and its

floodplain for years.

Environmentalists sued the Shaw Industries company, arguing that forever chemical pollution is still occurring and should be stopped by a [federal court](#). Shaw is a major textile manufacturing plant that produces fiber and nylon for carpets at the factory on St. Andrews Road.

The Congaree Riverkeeper organization and the Southern Environmental Law Center had threatened in March to sue Shaw if it did not take action. An attorney said the law center filed the suit because Shaw had not stopped its discharges of forever chemicals from a pipe along the Saluda, as the [environmental groups](#) had asked.

Tuesday's lawsuit said the riverkeeper had found 15 different types of forever chemicals flowing from a Shaw discharge pipe in late 2023. Among those were levels of two of the most common forever chemicals that exceeded new federal drinking water standards.

That's important because the lower Saluda is being polluted above the West Columbia and Cayce drinking [water systems](#), which have shown evidence of forever [chemical](#) pollution in their water, said Carl Brzorad, an attorney with the law center. Fish that people eat also are being contaminated below the Shaw Industries plant, he said.

"They are discharging PFAS directly into a drinking water source," Brzorad said. "These municipalities don't have the advanced treatment installed that you need to remove this stuff from the source water."

That source water originates in the lower Saluda, an 11-mile stretch of river extending from the Lake Murray dam to the confluence with the Broad near downtown Columbia. Together, the two rivers form the Congaree. The chilly lower Saluda is often considered the jewel of the three waterways because it has whitewater rapids and an active trout

fishery, unusual for central South Carolina. It is a state designated Scenic River.

Shaw officials were not immediately available for comment Tuesday, but said in March that the company stopped using some PFAS treatments in carpet manufacturing five years ago. The company suggested that it was looking for forever chemicals that may have come through its plant.

The company said Shaw is taking steps to address "inadvertent sources of PFAS" and resolve public concerns. A spokeswoman said the company had complied with all of its permits to discharge wastewater.

Shaw Industries has run the Irmo plant for 19 years, but the manufacturing facility has operated since at least the 1960s. Once operated by Honeywell, the plant on St. Andrews Road is easily visible to anyone driving through Irmo. Shaw, headquartered in Dalton, Ga., is a wholly-owned subsidiary of Berkshire Hathaway and one of the world's largest carpet manufacturers. It has about 20,000 employees and reports \$6 billion in annual sales worldwide.

Carpets manufactured by Shaw have shown high levels of PFAS, according to the lawsuit. Company plants in Georgia and Alabama have been the target of lawsuits about the problem in those states, the South Carolina suit said.

This week's lawsuit by the environmental groups could result in substantial fines by state or federal agencies if successful in court, but Brzorad said the main goal is for Shaw to stop the discharges, whether through a court order or a negotiated settlement.

"We are in active discussions with Shaw, and we expect those discussions to continue," Brzorad said. "We certainly hope that they take

this as seriously as the threat that this poses to the environment."

West Columbia and Cayce did not participate in the [legal action](#) but the cities could benefit from any action to reduce PFAS releases to the lower Saluda River. Cayce spokeswoman Ashley Hunter said the city, which heard from the riverkeeper that a suit was pending, wants to safeguard its drinking water.

"Our city administration was provided notice of the generalities of the concerns, but were not aware of the specifics on the lawsuit," Hunter said in a text. "We appreciate the work of the Congaree Riverkeeper. Having safe drinking water for our citizens is of the utmost importance to our city."

A spokeswoman for West Columbia was not immediately available for comment.

The suit by the environmental groups is among a growing number of legal cases against the manufacturers and users of forever chemicals across the state and nation.

In South Carolina, major PFAS lawsuits include cases on behalf of firefighters who used foam to extinguish fires and cities that say forever chemicals polluted their water. Attorney General Alan Wilson has two of his own cases, while private legal teams interested in filing class action lawsuits are actively soliciting information from people who may have been exposed to forever chemicals in water.

Residents of a rural area of Darlington County have filed suit over drinking water pollution they say resulted from sludge fertilizer provided by a textile plant.

One of the biggest cases in South Carolina is a suit the city of Columbia

filed against more than 40 manufacturers or users of forever chemicals.

Like West Columbia and Cayce, Columbia has had elevated levels of forever chemicals in drinking water, causing what officials say will be a need for an expensive upgrade to its water system. Shaw was among those named in Columbia's suit last month. The city is seeking tens of millions of dollars to pay for drinking water system upgrades.

Forever chemicals, formally known as per and polyfluoroalkyl substances, or PFAS, can cause cancer and an array of physical ailments to those who drink water or eat food contaminated with the material over time. The chemicals have been used by industry for the past 80 years because they are useful in waterproofing clothing and carpets, and coating non-stick frying pans, among other things. They also are key ingredients in firefighting foam.

Manufacturers knew about the hazards, but kept the threat largely out of the public eye for decades, according to media reports and legal notices. In the past 20 years, state and federal agencies have learned more about the threats. But only recently has public awareness grown. PFAS chemicals are problematic because they don't break down easily in the environment, thus the name forever chemicals.

Tuesday's lawsuit by the law center and the riverkeeper organization said they took action because neither the U.S. Environmental Protection Agency nor state regulators in South Carolina had pushed to stop the discharges.

It is illegal under the federal Clean Water Act to discharge any contaminant without a permit, even though there are no specific limits on PFAS releases. Suits like the one filed by the law center are allowed if the government doesn't enforce the law.

Among allegations in the suit:

- Wastewater piped from a treatment pond at Shaw to a ditch is polluted by PFAS. The ditch carries water from an outfall pipe to the lower Saluda River at Irmo.
- Shaw's wastewater treatment plant cannot effectively remove PFAS before it is discharged
- An array of toxins is leaking through unlined waste lagoons and into groundwater that flows toward the Saluda. Unlike lead and arsenic, there has been no documentation that PFAS is among the pollutants leaking through the lagoons into groundwater. But based on what else has gotten into groundwater, "PFAS are likely leaching from the unlined lagoons and basins."
- Shaw engaged in dumping PFAS-tinged material on its property
- Forever chemicals have likely run off the plant site after heavy rains and polluted the lower Saluda and a tributary, Kinley Creek.

Shaw's Irmo plant "has discharged and continues to discharge PFAS from outfall 1 and other sources into the Saluda River," the lawsuit says.

The suit said PFAS may have played a role in the deaths of about 6.5 million people across the country. It also said the pollution violates federal clean water and hazardous waste laws.

Every fish tested in the Congaree, just below where the Saluda connects with it, contained forever chemicals in 2022, the suit said. Those fish included popular sport species such as largemouth bass and channel catfish, the suit said. Some fish had levels rivaling the amount found in the Cape Fear River of North Carolina, which carries warnings against eating more than moderate amounts of fish, the suit said.

"The Lower Saluda River is a symbol for Columbia—a beloved home for wildlife, destination for recreation, and designated State Scenic

River," according to a statement from Bill Stangler, the Congaree Riverkeeper, whose organization advocates for safe water in the Saluda and Broad rivers, as well.

"By discharging PFAS into the Lower Saluda, Shaw harms our precious resources and the drinking water source for the communities of West Columbia and Cayce."

2024 The State. Distributed by Tribune Content Agency, LLC.

Citation: Lawsuit claims Irmo plant polluted Saluda River with toxic chemicals (2024, July 3) retrieved 22 July 2024 from <https://phys.org/news/2024-07-lawsuit-irmo-polluted-saluda-river.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.