

SOUTH CAROLINA DEPARTMENT OF
HEALTH AND ENVIRONMENTAL CONTROL
MINING AND RECLAMATION SECTION

STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE

In Re:)
)
BLUE WATER INDUSTRIES, LLC) PUBLIC HEARING &
) COMMENT PERIOD
Proposed Salem Sand-Henry Tract)
Mine, Florence, South Carolina)
)

DATE: Thursday, December 7th, 2023

TIME: 7:54 p.m.

LOCATION: Hannah-Pamplico Elementary/Middle School
2131 S. Pamplico Highway
Pamplico, South Carolina

REPORTED BY:

Cara-Leigh V. Richardson

A P P E A R A N C E S

ON BEHALF OF SOUTH CAROLINA DEPARTMENT
OF HEALTH AND ENVIRONMENTAL CONTROL:

Donna Moye, HEARING OFFICER
Jeremy Eddy, PERMIT WRITER
Kristy Ellenburg

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1 P R O C E E D I N G

2 DONNA MOYE: The time is now 7:54 p.m. on Thursday,
3 December 7th, 2023, and this public hearing will
4 now begin. This public hearing is being held by
5 the South Carolina Department of Health and
6 Environmental Control, also known as DHEC, to
7 accept comments on the proposed Salem Sand-Henry
8 Tract Mine at a site located at 331 East Highway
9 378 Hannah, in Florence County. This is a formal
10 proceeding and DHEC staff will not be responding to
11 questions or comments. A written transcript of
12 this public hearing will be prepared by the
13 certified court reporter seated to my left and
14 posted on our webpage at [www.SCDHEC, that's D-H-E-](http://www.SCDHEC.gov/GOV/HenryTract)
15 [C, .gov, G-O-V, /HenryTract](http://www.SCDHEC.gov/GOV/HenryTract). It will be made
16 available once she has finished the transcript.
17 That transcript will serve as the official record
18 of this public hearing. Again, my name is Donna
19 Moye and I will serve as your Hearing Officer
20 tonight.

21 Thank you for taking the time to be here for
22 this important step in DHEC's permitting process.
23 I would also like to welcome and thank any mining
24 representatives, local government officials, or
25 members of your legislative delegation who may be

1 in attendance tonight to hear your comments.

2 I mentioned our webpage earlier, DHEC has
3 created this webpage for online access to
4 information about the proposed mine. Again, that
5 webpage address is on the handout that has been
6 provided to you. I encourage you to visit the
7 webpage for information and future updates.

8 Before I go over how we will proceed tonight,
9 there are a couple of items that I would like to
10 address. First, I would ask that you please
11 silence your cell phones or other electronic
12 devices so that others are not disturbed during
13 this hearing. And, if you have not already done
14 so, I encourage each of you to sign the attendance
15 sheet located at the sign-in table so that we have
16 a complete record of everyone here tonight. We
17 have asked for your mailing or email address on the
18 sign-in sheet so we know how to notify you of
19 future information regarding the proposed mine.

20 As you've already heard, the permitting
21 process at DHEC begins when an application is
22 received for one or more environmental permits.
23 During this process, an applicant must show that
24 its proposed operation can comply with all
25 applicable state and federal regulations. These

1 regulations have been written to ensure that human
2 health and the environment are protected. In
3 addition to reviewing the application, DHEC's role
4 is to write and, if issued, enforce permits that
5 meet the requirements of the regulations.

6 You also have a role in DHEC's permitting
7 process. That's what brings us here tonight, to
8 receive your comments formally for the record. You
9 should know that a final decision has not yet been
10 made and will not be made here tonight. The
11 purpose of this hearing is for you to provide
12 additional information to be considered before a
13 final decision is made.

14 Although a final permit decision cannot be
15 made based on a vote or how many people say the
16 same thing, your comments are important and may
17 provide DHEC staff with additional things to
18 consider when making a final decision. Comments
19 and concerns given here tonight, as well as those
20 submitted in writing by the end of the public
21 comment period, are welcomed and encouraged.

22 A presentation on the proposed mine and DHEC's
23 mine permitting process was provided by Jeremy Eddy
24 of DHEC's Mining and Reclamation Section during the
25 public meeting held at six. That presentation will

1 be made available on our webpage before the end of
2 the public comment. The handout that you received
3 will also be made available if someone would like a
4 copy afterwards that was not here tonight.

5 We will now move on to the order in which we
6 will proceed with this hearing. A brief statement
7 about the proposed mine will be read by Jeremy
8 before we begin listening to your comments. I will
9 then begin the public comment portion of the
10 evening by randomly calling on those of you who
11 indicated on the sign-in sheet that you would like
12 to make a comment. If you have decided that you no
13 longer wish to comment when you are called on, you
14 may decline at that time.

15 Finally, I'll give anyone who has not had the
16 opportunity --

17 (COURT REPORTER'S NOTE: TECHNICAL ISSUES)

18 DONNA MOYE: Hang on. (Pause.) As I mentioned at the
19 beginning, sometimes we have small technical
20 difficulties. We'll continue in just a moment.

21 ****OFF THE RECORD****

22 (On the record.)

23 DONNA MOYE: This is what we call plan B, so thank
24 you. I think I can pick up where I left off, too.

25 Finally, I will give anyone who has not had a

1 chance to speak the opportunity to make their
2 comments. After all comments have been heard, I'll
3 make closing remarks and this public hearing will
4 be adjourned.

5 I want to check with our court reporter to
6 make sure she can still hear me okay.

7 COURT REPORTER: (Gives thumbs up sign.)

8 DONNA MOYE: For everyone to have fair and equal
9 opportunity to participate tonight and to ensure
10 that we proceed in a timely and effective manner,
11 the following four guidelines have been
12 established.

13 First, there will be no questions or answers
14 during or after the presentation or any comment.

15 Second, your comments should not go over three
16 minutes per individual, and that is because we have
17 a lot of you who have signed up to comment and we
18 want to make sure that we hear from everyone. I
19 will gently remind you if you do not conclude your
20 comments at that time. If you are not able to
21 present your comments within the allotted time,
22 please remember that you may submit them to DHEC in
23 writing by the close of the public comment.

24 Third, please continue to be respectful
25 towards anyone speaking here tonight and follow the

1 time limit that has been set. You each have a
2 unique and valued perspective. No one comment is
3 more important than another.

4 And fourth, please do not interrupt or ask
5 other participants to respond to your comments.

6 Should any comments or actions begin to move
7 away from the intent of this hearing, I may ask the
8 speaker to limit their statements and be seated.

9 I will now call on Jeremy Eddy to read a brief
10 statement about the proposed mine.

11 JEREMY EDDY: On August 8th, 2023, DHEC received an
12 application from Blue Water Industries, LLC to mine
13 sand at the Salem Sand-Henry Tract Mine. The
14 applicant is proposing to permit 260.7 acres of
15 land, 189.2 of those acres to be affected by mining
16 operations. The applicant is proposing to wet mine
17 the site and install a small processing plant. The
18 proposed reclamation plan states that final land
19 use will be a series of ponds and grasslands.

20 DONNA MOYE: Thank you, Jeremy. That's something that
21 we just do for the record in case you were
22 wondering.

23 We will now hear from those of you who
24 indicated on the sign-in sheet that you would like
25 to make a comment. Again, you will be called upon

1 in random order. Please clearly state and spell
2 your name for the court reporter before you begin
3 speaking.

4 P U B L I C C O M M E N T S

5 DONNA MOYE: The first person I have pulled is Cliff
6 Hicks with Blue Water Industries. Is Mr. Hicks
7 still here?

8 CLIFF HICKS: So, I need to spell my name?

9 COURT REPORTER: (Indicates affirmatively.)

10 CLIFF HICKS: Cliff Hicks, C-L-I-F-F, H-I-C-K-S. I
11 work with Blue Water Industries. It's nice to
12 finally see the turnout here.

13 Can't hear me? I'm sorry.

14 I work with Blue Water Industries. It's nice
15 to see the big turnout here. All the questions
16 I've heard tonight are very valid, and I would like
17 to answer those in further detail. I only have
18 three minutes. I can leave my card behind and
19 answer anything that y'all might want to hear.

20 Blue Water's a privately held company. We
21 have another sand mine outside of Charleston, South
22 Carolina. We entered the market there five and a
23 half years. We currently took over the Salem Mine
24 from the Weaver family back in March, and, you
25 know, I know there's a lot of concerned citizens,

1 and I think if I get a chance to talk with you
2 one-on-one, we might be able to answer some of your
3 concerns.

4 We started the permit process back in August.
5 We know we still have to go through the Florence
6 County process, but, listen, this is a good thing,
7 that everybody's here. I want to answer everything
8 y'all have for me. Y'all are an active community;
9 that's a good thing. I would've been shocked if it
10 had only been a few people that had a couple
11 concerns, but I think if you get to know us, and I
12 can address some of your concerns head-on or tell
13 you what our plans are, it might alleviate a lot of
14 the concerns.

15 I'll leave my cards here after the meeting.
16 You can feel free to call me. Just don't call me
17 early in the morning or late at night, but I'm at
18 the table over there with Mr. Kennedy, who helps us
19 run our mine. We have another guy here, Steve
20 Tillquist, that's with our operations team, but
21 thank y'all for being here tonight, and I look
22 forward to meeting with you one-on-one, or on the
23 phone, or however y'all want to address me, but
24 thank you for being here.

25 DONNA MOYE: Thank you, Mr. Hicks. If you're in

1 agreement, we will be more than happy to put your
2 contact information on our webpage for anyone who
3 doesn't get a chance to meet with you face-to-face
4 tonight.

5 CLIFF HICKS: That's fine.

6 DONNA MOYE: We'll be happy to do that.

7 Next, I have Dusty Owens. (Pause for
8 response.) I'll remind you again, Mr. Owens, to
9 please spell your name for the court reporter.

10 DUSTY OWENS: Okay. Can you turn the volume up a
11 little bit?

12 DONNA MOYE: We can try. It's all the way up, can you
13 talk loud?

14 DUSTY OWENS: I don't know. Can you hear me in the
15 back? Okay. My name is Dusty Owens, D-U-S-T-Y,
16 O-W-E-N-S.

17 As a part of the permitting process for this
18 proposed mine, a Reconnaissance Survey was
19 conducted by Terracon Consultants, Incorporated.
20 I've reviewed that report and would like to address
21 several specific issues which call into question
22 the validity of approving this proposed project
23 without additional research.

24 Issue number one, there is documented evidence
25 of archeological sites located in close proximity

1 to this tract. For example, the Eaddy Bluff Mound
2 excavation, as well as the US Highway 378 Expansion
3 Survey, both found various prehistoric
4 archeological sites and artifacts to include human
5 remains. There is every reason to believe that
6 such sites are very possible on the proposed Henry
7 Tract.

8 With this documented history, why was a
9 Reconnaissance Survey conducted? A Reconnaissance
10 Survey is the lowest level and least detailed
11 survey. Why was it acceptable in this situation?
12 The aforementioned US Highway 378 widening project
13 used a Phase 1 Survey, a more detailed and
14 systematic approach.

15 Issue number two, a Reconnaissance Survey,
16 when used, should address the areas of highest
17 probability for inhabitation, such as high and dry
18 areas up slope from natural water. However, a
19 review of the Terracon report shows that a number
20 of searched probability areas and sites were
21 avoided.

22 Instead, a Reconnaissance Survey was conducted
23 with 73 shovel test sites covering an area of 365
24 acres. That equates to one shovel test every five
25 acres. The shovel test being 12 inches in diameter

1 and approximately 32 inches deep. It appears that
2 every effort was given to avoid possible
3 archeological locations in this reconnaissance.
4 Why was this Reconnaissance Survey not directed to
5 the high probability areas of inhabitation?

6 The third and final issue, the authors of the
7 Terracon report state and I quote, "All well-
8 drained portions of the projected area have a
9 moderate to high potential for containing
10 prehistoric archeological resources due to the
11 presence of Deep Creek and its tributaries, as well
12 as the two Carolina Bays." That is on page four of
13 their report.

14 Due diligence, therefore, would recommend a
15 Phase 1 Survey, at a minimum, be conducted before
16 writing off this area and allowing it to be
17 destroyed forever. Thank you for your attention.

18 DONNA MOYE: Thank you, Mr. Owens. And I did not
19 mention earlier, but if you would like to leave a
20 copy of your comments with the court reporter, you
21 are certainly welcome to do so. It's not required,
22 but it sometimes does help her as she is
23 transcribing, so. Again, she's at the end of the
24 table here if you would like to leave those for
25 her.

1 Next, I have David Graham. (Pause for
2 response.) David Graham? (Pause for response.)

3 UNIDENTIFIED MALE: He left.

4 DONNA MOYE: He left? Please let the record state
5 that Mr. Graham is not here to give his comment.

6 Mr. Poston, Jerry Poston -- I might not be
7 reading this correctly -- of Johnsonville. (Pause
8 for response.)

9 Okay, we're going to skip this one for right
10 now, and I'll come back to it at the end.

11 Bill Trayner?

12 WILLIAM TRAYNER: I'm going to withdraw my comment for
13 right now, because you've covered a lot of it, but
14 I will be writing a letter.

15 DONNA MOYE: Okay, and what was your last name?

16 WILLIAM TRAYNER: Trayner, T-R-A-Y-N-E-R.

17 DONNA MOYE: I'm so sorry.

18 WILLIAM TRAYNER: It's all right.

19 DONNA MOYE: Please let the record reflect that Mr.
20 Trayner has forfeited his right to comment, but
21 will be submitting written comments for the record.

22 Dianne Owens? (Pause for response.) And, Ms.
23 Owens, I see that you have a different spelling for
24 your name, so if you'd just make sure to state that
25 for the court reporter.

1 DIANNE OWENS: Hi, my name is Dianne, D-I-A-N-N-E,
2 Owens. I will be presenting a longer, more
3 specific letter -- I will be submitting a longer,
4 more specific letter, but I just wanted to hit a
5 few highlights.

6 I do want an air quality ---

7 UNIDENTIFIED FEMALE: I can't hear you.

8 DIANNE OWENS: I do want an air quality report done. I
9 am concerned about respiratory elements. I am
10 concerned about the damage that will be done to
11 aquifers. I am concerned because the mine is
12 beside wetlands and creeks that flow into our
13 scenic Lynches River, which has significance for
14 the state historically and ecologically, and any
15 flooding or runoff will be detrimental to those
16 with livelihoods along the river.

17 I'm concerned that this is a nonrenewable use
18 of land. There are holes that need to be addressed
19 in the cultural resources reconnaissance that you
20 just heard. I am concerned that the proposal's
21 Species Assessment doesn't properly address habitat
22 and wildlife, among things of the wood sorts.
23 Yeah, I'm a bird lover. So, I'm going to worry
24 about our wildlife and our birds. It may seem
25 silly, but I'm going to worry about those turtles,

1 too.

2 So, we know that there are things there that
3 need protecting in some manner, and I want to
4 ensure that we do get proper care.

5 The loss of more land, more habitat, to this
6 area, it can't be reclaimed by a pond or grassland.
7 That's not reclamation. That's replacement.

8 DONNA MOYE: Thank you, Ms. Owens. I am going to go
9 back. I have received a note that maybe who I was
10 trying to call on earlier was Jenny Poston.

11 UNIDENTIFIED FEMALE: She left.

12 DONNA MOYE: No? We're good? (Pause for response.)
13 Nathaniel Durant? (Pause for response.) Sir, come
14 on down.

15 NATHANIEL DURANT: My name is Nathaniel Durant,
16 N-A-T-H-A-N-I-E-L, Durant, D-U-R-A-N-T, Jr.

17 Now, I'm going to try to speak briefly. You
18 will find today that we have or tonight we have
19 stockholders and stakeholders and concerned
20 citizens, and all of us understand that this
21 project is important, one way or the other.

22 It's important to Blue Water, because they are
23 in the business of mining sand. It's important to
24 us, because, any of us, whether we are in Florence
25 County or in South Carolina, sand mining and sand

1 products is something we cannot live without. So,
2 we are not saying that those things don't need to
3 happen.

4 You'll find that there are going to be several
5 folk that's going speak tonight on different issues
6 of concern for the community, concern with the
7 water, with the air, with the noise, and all of
8 those things that is going to be mentioned. What
9 we are saying is that we understand that sand
10 mining is important, but we don't feel like sand
11 mining at this sand mine, at this time in our
12 community, will be the best for the community.

13 Thank you.

14 DONNA MOYE: Thank you, Mr. Durant.

15 Sterling Sadler? (Pause for response.) And,
16 I see here, Ms. Sadler, that you are speaking on
17 behalf of the Florence Conservation District, so
18 thank you for being here.

19 STERLINE SADLER: Sterling, S-T-E-R-L-I-N-G, Sadler,
20 S-A-D-L-E-R. I'm the Commissioner for the Florence
21 Soil and Water Conservation District and we sent a
22 letter to DHEC with some concerns after our last
23 board meeting.

24 We're charged, as the entity in Florence
25 County, of taking care of our natural resources so

1 that they will be here for generations to come.
2 We're afraid that there's not been enough study as
3 to the effects on the natural resources in this
4 area or on the floodplains or the wetlands of the
5 Lynches River and Deep Creek.

6 We're asking that further investigation be
7 done into these areas, so that we can assure that
8 these wetlands, the floodplains, and the natural
9 resources will be here for generations to come and
10 use. Thank you.

11 DONNA MOYE: Thank you, Ms. Sadler.

12 Cornelia Poston? (Pause for response.)
13 I'm getting the feeling we have a lot of Postons in
14 the area.

15 CORNELIA POSTON: Name is Cornelia Poston,
16 C-O-R-N-E-L-I-A, Poston, P-O-S-T-O-N, and I'll be
17 speaking on what it's like to live near a sand
18 mine.

19 I have lived on East Salem Road for nearly 50
20 years. I want to voice my opposition to the mining
21 permit of the Henry Sand Mine on 378. This used to
22 be a peaceful quiet community until the Weaver Mine
23 was approved. Now, Blue Water has taken over that
24 mine.

25 We have dealt with severe dust problems, truck

1 traffic, and noise for a while now since Blue Water
2 took over the mine. The dust is horrible. I have
3 not been able to sit on my porch. The mail in my
4 box is covered with dust. I have to change my air
5 filter in my house twice a month.

6 The County has recently rocked East Salem
7 Road. I guess that is to support the truck
8 traffic. That has only added to our dust problem.

9 The truck traffic is a constant problem. The
10 trucks come in from the mines and never stopped
11 before turning onto East Salem Road. The residents
12 on this road have to constantly watch for them.
13 The trucks are in and out all day. We no longer
14 live in a peaceful community because of the
15 constant noise and dust from these trucks.

16 I'm deeply concerned about the possible new
17 Blue Water sand mine that will be in front of my
18 house. The current mine is now mining sand 50
19 yards directly behind my house. If the new permit
20 is approved, they will be mining sand 200 yards
21 directly in front of my house. I will be right in
22 the middle of two sand mines.

23 Sand dust contains silica. Silica particles
24 are so small that they can only be seen with a
25 microscope. It is one of the oldest known dangers

1 of mining sand. By living so close to the existing
2 sand mine, I am breathing silica in now. If the
3 Henry Mine permit is approved, I will be breathing
4 it in from the back and the front of my house. I'm
5 very concerned about air quality, silica dust,
6 truck traffic, and noise levels now more than ever.

7 I have been told that my property value will
8 plummet due to the existing mine. The new mine
9 will even make it worse. No one wants to live in
10 the middle of one sand mine, especially not two.

11 I can tell you that I don't want to live this
12 way. Do you? I have a persistent cough and I
13 cannot seem to get rid of it. I have had
14 bronchitis or congestion so bad at times that I
15 have to use a nebulizer. I really thought it was
16 from COVID; however, I no longer believe that. I
17 truly believe that it is occurring from the dust of
18 the sand mines.

19 I realize that the sand mines are necessary;
20 however, I think these mining companies need to go
21 somewhere secluded. This place needs to be away
22 from the communities, away from the creeks and
23 rivers. Another sand mine in our community would
24 be devastating, and ruin the quality of life that
25 my neighbors and I try to enjoy.

1 I understand there will be a few new jobs and
2 a little more tax money, but is it worth the damage
3 it will do to the land and the citizens of this
4 community? Should Blue Water be the only ones to
5 benefit from this?

6 As a citizen of Florence County, do I not have
7 the right to live in a safe environment away from
8 all the problems this mine will cause? Is it fair
9 or is it legal for me to live in the middle of two
10 sand mines?

11 Thank you for your time. I pray your decision
12 will be made for what is right for your citizens of
13 lower Florence County and not for the Blue Water
14 Mining Company.

15 DONNA MOYE: Thank you, Ms. Poston.

16 Mary Ann Hanna? (Pause for response.)

17 MARY ANN HANNA: My name is Mary Ann Hanna, M-A-R-Y,
18 A-N-N, H-A-N-N-A. To DHEC, thank you for taking
19 the time to listen to our concerns and place
20 yourself and family in our shoes.

21 First of all, my property, and my husband, we
22 have a three-fourths, quarter-acre pond. We have
23 already and are still being affected by the prior
24 mining site that Blue Water Industries, LLC,
25 operates at the Salem pit in concordance with South

1 Carolina Mining and Act, South Carolina Code
2 Section 48-20-10.

3 This is a 20.8 acre site. I point this out
4 that, yes, this is relatively a small mining area,
5 but compared to the approximately 365 acres at the
6 proposed Henry Tract mining site near the community
7 of Salem, that would be directly in front of my
8 property.

9 According to the documents submitted by the
10 company, 260.7 acres on 331 East Highway 378 will
11 be used for a mine, and 71.5 acres for a buffer. I
12 ask: Is this buffer sufficient enough for a mining
13 site this size? Think of 10 football fields. This
14 is the magnitude.

15 I understand that 189.2 acres will be the
16 actually mining area. My concerns comes from the
17 experience that we are already dealing with: the
18 dust from the sand trucks coming and going from the
19 site, passing by our property. Many times, they've
20 been reported.

21 The speed of the trucks traveling: My
22 sister-in-law lives on East Salem Road and she has
23 three small grandkids that love the outdoors and,
24 at times, being at her home, I have seen firsthand
25 how fast these trucks come in and out. They do not

1 even stop to enter the East Salem Road. We've had
2 promises that's been made to correct and to take
3 care of our concerns, but we have yet seen that.

4 But does it stop here? How will this affect
5 the area with Salem Sand in March and April winds
6 that we have. Will it also have --

7 Me and my husband also have a house on 349,
8 which will be directly in front of the Henry Tract
9 Mine. I can tell you that our house there, we
10 already -- on the outside of the house, there's
11 lots of sand, and it also comes in on the inside
12 around the cracks, around the windows.

13 You mentioned phases of this project. Will
14 DHEC inspect after each phase?

15 A big concern is silica dust, and I know
16 several people has already commented on that. And
17 if you Google it, you'll know that it is a disease,
18 a lung disease that can cause inhalation of
19 crystalline silica, that's what they say, that you
20 can't see and, yeah, we are probably not breathing
21 it in, but how do we know that? You get
22 inflammation scarring in the nodulars (phonetic) of
23 the upper lobes in the lungs, and it's real bad for
24 children and the elderly.

25 All we want is to not have to worry about our

1 present and future generations that these issues
2 will have in their life. I ask and pray that DHEC
3 will put their selves in our place and really
4 examine the mining we'll have in this community.

5 We're asking for guidelines and for you to
6 look and investigate every little situation that it
7 will, not have just on the Salem Community, but our
8 beautiful Palmetto state.

9 DONNA MOYE: Thank you, Ms. Hanna.

10 Boone Aiken, IV? (Pause for response.)

11 I see here that you were speaking on behalf of Save
12 Lower Florence County, so thank you.

13 BOONE AIKEN, IV: Good evening, everyone. Madam Court
14 Reporter, Boone, B-O-O-N-E, A-I-K-E-N.

15 Again, I'm here today on behalf of Save Lower
16 Florence County, a group, many of whose individuals
17 are here tonight.

18 We do want to thank DHEC for this opportunity
19 to be able to speak and provide comments. I think
20 it's very important for the record and for members
21 of the community to be able to speak. We are very
22 appreciative of that, and do want to take this time
23 to express our concerns, and I think concerns is an
24 understatement. We have many, many concerns about
25 this permit, and I want to go ahead and touch just

1 on three of them briefly in the time allotted.

2 Number one is a concern that I have coined a
3 local governance concern. As was mentioned
4 earlier, Florence County is the political
5 subdivision in which this proposed mine will be
6 located in. The County's recent moratorium signals
7 a deep-rooted concern for the health and safety of
8 its residents, underscoring the potential risks
9 associated with the proposed mine, and granting a
10 permit in light of the County's clear apprehensions
11 at this time would not only disregard local
12 governance and community sentiment, but also risks
13 exacerbating the issues that the moratorium aims to
14 prevent and study further.

15 Issue number two is flooding. It is a
16 well-established fact that a sand mine or mining in
17 general can cause and have significant impact on
18 flooding. And to provide some insight for the
19 record, I want to read an excerpt of a letter
20 submitted by the Administrator of Florence County
21 today that specifically discusses the mine site
22 being located in the floodplain of Deep Creek,
23 which is a special flood hazard area of Zone A, and
24 specifically, I say, "The application is clear
25 that, if permitted, the mine may be dug to a depth

1 of 50 feet to a point as close as 50 feet to Deep
2 Creek, which again is a substantial tributary of
3 Lynches River, which is just over a mile to the
4 south. The DNR letter, and specifically to provide
5 some context, that is a letter that DNR submitted
6 September 22nd, 2023, expresses concern with the
7 proximity of the mining site to Deep Creek and its
8 floodplain and requests further information on this
9 issue, but to our knowledge, no such information
10 has been provided by DHEC or the permit applicant."

11 And number three is a very important issue
12 that has been brought up a lot tonight, and that is
13 the dust. It was discussed earlier that there are
14 proposed ways to mitigate and control the dust, but
15 what we have not seen is a tangible plan or
16 evidence as part of the application as to how the
17 permit applicant will control the dust. Again, it
18 was mentioned earlier. There's a lot of
19 speculation, and what is requested is tangible
20 evidence: reports, studies, et cetera, to show how
21 this dust, which is a significant impact to the
22 health and safety of the members of the community,
23 will be controlled.

24 I will stop there. I know time was running
25 short, but, ultimately, we would argue and posit

1 that the concerns, not only to the environment but
2 to the community members as a whole, specifically
3 for the health and safety of the community members,
4 weighs against the issuance of the permit at this
5 time. Thank you.

6 DONNA MOYE: Thank you, Mr. Aiken. I'm going to
7 commend everyone for their handwriting, too. For
8 the most part, I've been able to read the names, so
9 I really do appreciate that.

10 Next, we have Earnest Groover. (Pause for
11 response.) Don't tell me I've mispronounced your
12 name after I just said that. Come on down.

13 EARNEST GROOVER: All of my concerns have been covered.
14 I yield the floor.

15 DONNA MOYE: Okay. Let the record reflect that Mr.
16 Groover is yielding his comment at this time.
17 Again, I'll remind you, Mr. Groover, if you think
18 of anything after this evening, you're certainly
19 welcome to submit additional comments in writing.

20 Next, we have Jerry Evans. (Pause for
21 response.) You can bring your water with you.

22 JERRY EVANS: My name is Jerry Evans, J-E-R-R-Y,
23 E-V-A-N-S. I'll apologize ahead of time; my voice
24 is choppy and is raspy so bear with me.

25 DHEC has a lot of elaborate plans for the new

1 sand mine. We appreciate that, but plans are one
2 thing; I'm going to talk about reality. I'm going
3 to talk about the current sand mine.

4 I own a tract of land adjacent to that mine.
5 I remember when there was a DHEC hearing for the
6 current mine. I received a hearing notice, but I
7 did not attend. Since DHEC was involved, I felt
8 all the safeguards would be in place. My rights
9 would be protected. Well, I was wrong.

10 At some point every year, since pumping or
11 dewatering has started, I have had six inches of
12 water pooled across the far end of my field. This
13 water is spill-off when the pumping capacity
14 exceeds the capacity of the drainage network. This
15 last happened fall of this year.

16 It's been remedied now, but before this, in
17 2022, last year, water was also in my field, and
18 had been for some time. The mine, at that time,
19 was being run by the prior owner/operator. DHEC
20 surveyed the situation, remedial action was taken,
21 and the issue resolved.

22 But, for me, this begs two questions: Is this
23 an annual issue I must deal with? Do environmental
24 plans regularly fail?

25 The area in question, even though it was

1 flooded with water, is not wetlands. It is an area
2 where, in my lifetime, tobacco, cotton and peanuts
3 have been grown. We all know these crops don't
4 grow on wetlands.

5 But ironically, 100 yards into the woods just
6 beyond a little crest at the end of the field,
7 there is a spot of wetlands, probably an acre or
8 less. I remember water pooling in that area during
9 winters past, but water doesn't pool there anymore.
10 I believe dewatering and the resulting drop in the
11 water table dried up this wetland.

12 I realize everything I have said thus far is
13 based on the operation of the current sand mine,
14 not the new one that is being applied for, but
15 Salem has a multi-year preview of what a future
16 sand mining operation will be like. Salem now
17 knows that everything doesn't go according to plan.

18 We have a field that periodically floods,
19 dried up wetlands, dried fishing ponds. There's
20 heavy equipment, noise, dust, and big trucks
21 passing 50 feet from some of our front doors.
22 Salem's quality of life has taken a hit, and if you
23 approve a new Salem mine, Salem's quality of life
24 will take a hit for years and years to come.

25 On DHEC's website, your mission statement is

1 this: To improve the quality of life for all South
2 Carolinians by protecting and promoting the health
3 of the public and the environment. Your DEC
4 mission is the very same mission that people of
5 Salem have. Quality of life issues, public health
6 and safety, health of the environment.

7 Salem deserves a quality of life. Stop this
8 sand mind. Thank you.

9 DONNA MOYE: Thank you, Mr. Evans.

10 Is this Aquila Davis on Poston Road? (Pause
11 for response.) Davis on Poston Road. (Pause for
12 response.)

13 Marcus Lovelle? (Pause for response.) Is
14 this young man Marcus?

15 MARCUS LOVELL: (Nods head up and down.)

16 DONNA MOYE: Well, welcome to our public hearing.

17 We're glad to see you participating tonight.

18 MARCUS LOVELL: Hello, everybody. I may be young, but I
19 do have something to say. It's not good. The sand
20 mine is not good for people that have heart
21 problems and that have conditions, because me,
22 myself, I know that, because I have a heart problem
23 called hypertrophic cardiomyopathy.

24 And I know that people breath in stuff, and
25 they have lung cancer and stuff. It's probably

1 going to end up really bad for those people, so
2 it's probably not good.

3 And if there's any wildlife where they're
4 mining at, it really might not be good for the
5 wildlife, because we need animals. Because, like,
6 I always learned that bees make honey and honey --
7 sometimes, bees keep us alive with food.

8 But that's all I have to say, that it's not
9 really good for sick people. I'm done.

10 DONNA MOYE: Thank you for applauding that young man
11 for taking part and being a participant in this
12 very important process. So, my hat is off to you,
13 and I guess that's your mom that is with you. I
14 would ask you just to touch base with the court
15 reporter before you leave to make sure that she was
16 able to capture everything that you said.

17 Stuart Evans? (Pause for response.)

18 Speaker 14: My name is -- can y'all hear me?

19 Well, my name is Stuart Evans, S-T-U-A-R-T,
20 E-V-A-N-S.

21 I was born and raised here in the Salem
22 community, and I'm just one of generations of the
23 Evans family, and we've been here all my life and
24 more. And the main thing that I want dwell
25 tonight, one of the things, is the adverse effects

1 that mining will have on mining [sic], and what I
2 have dealt with on my property. Three focus points
3 that I've got is decreasing water levels in my
4 pond, killing of my fish, and my experience
5 regarding this situation with DHEC.

6 My pond was dug in the late '90s to mid-2000,
7 the late '90s to mid-2000. My pond was no inlets
8 and no outlets; an underground stream is what it
9 was fed off of. When I first dug this thing, I had
10 no issue, none whatsoever, until the mining began.
11 When the mining began, I started noticing my pond
12 dropping. I didn't think a whole lot about. It'd
13 come up. It'd go down.

14 So, I had my fish killed in 2019. In April of
15 2022, I had the second one. On the first one, I
16 didn't say anything. I just kind of let it go.
17 The pond came back up; I didn't think of nothing
18 about it.

19 But in 2022, it happened again, and I called
20 the owner. I called the Weaver boy, I know him
21 personally, and his, his answer to me was, "I
22 thought that might happen."

23 Well, I got DHEC involved, and I, I
24 appreciated them coming out, but I feel like they,
25 they could have done more than what they done. And

1 my situation is related to what Jerry was saying.
2 I called DHEC after there wasn't when anything
3 happening, and they called me back and they came
4 out. And I didn't know that DHEC gave courtesy
5 calls but they must have, because the day before
6 they came out, I was sitting in my house and I seen
7 the pumps coming by my house.

8 Well, that's not a -- I knew right then I was
9 in trouble, but that is -- and I still, to this
10 day, haven't put, put fish back in my pond, because
11 -- he even went through the trouble of putting a
12 six-inch pipe from that pond to my pond to fill me
13 up. He could fill me up today and two days from
14 now, he'd filling me back up again. That's how
15 fast it would drop. And it's, you know, I, I was
16 really disappointed in the way DHEC handled it.

17 They, they did -- okay, they come back, and
18 they wrote a letter. They took pictures. They
19 sent me a picture of my pond back, back, back in
20 2000, March of 2022. My pond was full of water.
21 They sent several pictures. They have pictures of
22 Steve's pond. Steve was part of this, too.

23 Well, I got a picture where I took a picture
24 of dead fish in April of '22. That was one month.
25 That's how fast it dropped. It, it got so low,

1 even the ducks left. I don't know, you know.

2 What, what does Blue Water have to bring to
3 this community? What are they, what are they
4 offering? Nothing. It don't take a dozen people
5 to run that plant.

6 I just, I wish that they would think twice
7 about what they're doing, because they have -- I
8 got one on, I got one on the east of me, I got one
9 on the west of me, and now they want to put one on
10 the north of me. All of them is less than -- two
11 of them's a quarter of a mile, and the new one
12 would be a little, a little further, but that's all
13 I had to say. Thank you.

14 DONNA MOYE: Thank you so much, Mr. Evans.

15 David Yannello? (Pause for response.) Make
16 sure that you spell your name court reporter
17 please.

18 DAVID YANNELLO: It's easy. Hello, my name is David
19 Yannello, D-A-V-I-D, Y-A-N-N-E-L-L-O.

20 You can tell by that last name I'm probably
21 not from around here, but I've been living here for
22 quite a while. I'd like to share some concerns I
23 have about the proposed Henry Tract Sand Mine
24 operated by Blue Water Industries. I tell you
25 what, there's a lot of stuff to unpack on this

1 point here.

2 One of the first things that struck me on the
3 permit application was a question that said,
4 "Number of years for which the permit is
5 requested," and the response is, "For the life of
6 mine." Well, that doesn't answer the question.
7 The question is the number of years, not some
8 ambiguous statement. So, this mine could be
9 operating for two years, 10 years, 50 years, who
10 knows how long? And so, DHEC is permitting a mine
11 for an indefinite period of time. It seems like
12 the State of South Carolina should have a better
13 control of mining than that.

14 As this mine begins operation, I assume the
15 first thing they'll do is build their office, their
16 haul road, processing plant, and shop. After that,
17 the tailings pond would need to be dug, and it's
18 approximately a 5.8 -- well, it's basically 5.8
19 acre sand Mine is what I gathered from the map.
20 Unless, of course, they're not going to sell any of
21 the material that's removed, which I kind of doubt.
22 I'm pretty sure they're in the business of selling
23 sand, so.

24 I assume this would begin with the excavators
25 and the track hoes, and will either continue in

1 that manner or be moved on to dredging while
2 they're building this -- the, the process of the
3 tailing pond. So, as the pit comes inundated with
4 water, the water's going to have to go somewhere.
5 So, I'm assuming that -- I, I'm not sure what
6 they're going to do with that, because -- if it's
7 being dredged or if they're going to just dig the
8 sand out of that. So, I'm not sure if it's going
9 to be wet, wet or dry. And I just hope that, that
10 they're not going to pump that water into the
11 wetlands, and I'd like to see if that would be
12 addressed.

13 I'm also concerned about the safety of the
14 persons in the neighborhood.

15 COURT REPORTER: I'm sorry; can I get you to go
16 closer to that mic? I'm having trouble ---

17 DAVID YANNELLO: Yes, ma'am, sorry.

18 So, I'm also concerned about the safety of the
19 persons in the, in the neighboring homes during the
20 mining operation and, and reclamation. The planned
21 berm is only about -- is only along Highway 378 and
22 a portion of the McArtor Lane.

23 By the way, the permit, the, the permit has
24 the berm at six to eight feet and the mine map
25 shows it at eight to 10 feet. One of those is

1 incorrect. So, I'm hoping that we get that
2 changed, so we can have the actual exact height or
3 planned height of the mine, of the berms.

4 The berms are going to be helpful, but I don't
5 think they're going to do much to dissuade pets
6 like cats like cats and dogs, or other mammals or
7 children from entering the area. I would imagine
8 that a one-to-one slope in the pond and the, and
9 the pits would be pretty difficult to climb out of.
10 So, a final reclamation of the bank above
11 groundwater graded to a level of three-to-one, and
12 I think that a perimeter fence of at least eight
13 feet would be more, more of a deterrent. Also,
14 grading the, the pond at three-to-one for some
15 distance under groundwater level might make it
16 easier to get out of if somebody happened to fall
17 into it.

18 Stormwater discharge is another area of
19 concern. Extreme storm events are not uncommon in
20 South Carolina. We do occasionally see hurricanes
21 here, and I don't there's been -- I don't think
22 anyone in here has probably seen less than three
23 extreme storm events in the last several years. We
24 have had Hurricane Matthew and Hurricane Florence,
25 as well as the thousand-year flood that was eight

1 years ago or so. During that event, much of the
2 downstream damage was attributed to breached
3 earthen dams. I think that maybe the mine pit in
4 proximity to the creek and the unnamed tributary
5 might qualify as that, so.

6 In addition to the seasonal water level
7 changes, every year we have summer thunderstorms
8 that dump large amounts of rain for a short period
9 of time. So, there's a concern here that it may be
10 necessary for the mine operator to pump stormwater
11 to prevent a breach of their pit, or more likely to
12 be able to effectively mine sand from their pits.

13 I think I'm out of time, so. Well, thank you
14 so much, and, and hopefully, we'll get this
15 resolved. Thanks.

16 DONNA MOYE: Mr. Yannello, I would like to ask you
17 specifically to leave your comments with the court
18 reporter. Your comments are so important to us,
19 and we want to make sure that she's able to get,
20 get everything down. Thank you so much.

21 Next, I think this might be Ms. Martha Curry.
22 (Pause for response.)

23 MARTHA CURRY: Good evening. My name is Martha B.

24 Curry, M-A-R-T-H-A, B as in boy, C-U-R-R-Y.

25 So, I reside at 458 East Highway 378,

1 Johnsonville. I do wish and I have a desire to
2 express the concern of our community regarding of
3 proposed landmine [sic] in our area, our community
4 where we work, we live, we worship, we fish, we
5 attend school, but it is deeply rooted, it is
6 deeply rooted in its vibrant and active lifestyle.

7 The potential danger and risks associated with
8 the proposed sand mine poses a significantly threat
9 to our wellbeing and the stability of our cherished
10 way of life. The main concern is of health and
11 safety risks.

12 The operation of a sand mine will bring with
13 them various health and safety hazards. The dust
14 and the toxic chemicals from the mine activates --
15 can lead to respiratory issues such as silicosis.
16 It's a disease that is caused in the -- it come in
17 your lung, and it's called by inhaling dust. It
18 can create lung cancer, kidney failure, and other
19 respiratory issues, posing a direct threat to the
20 health of our community members, especially to our
21 children and the elders.

22 We have residents, residents living on 378 who
23 ranges from ages of three months to 97 years. Some
24 work actively, some go to school, some go to church
25 throughout the week, but their health can be

1 negatively affected by the sand mining project.

2 On this stretch of 378, we have people who are
3 sick and shut-in. We have people who are
4 bedridden. We have children who are being schooled
5 in the home. We have children who are special
6 needs. All will be affected by the sand mine.

7 We have some, and I must mention my neighbor
8 who recently moved behind us, has been attacked
9 with cancer twice. He has to endure this. We have
10 our three great-grandchildren, ages one, two, and
11 three, who love playing outside, who love the
12 sunshine, and who plans to get of swing set for
13 Christmas.

14 Now, how can they swing out there in all the
15 sand? Tell me, in the dust, how can they enjoy
16 themselves?

17 I looked at them the other day as they played
18 in the leaves, and piled all leaves up and just had
19 fun out in the yard. Y'all, we don't need this in
20 our community.

21 We know, Blue Water, you have to have your own
22 -- you have to have business. Everybody have to
23 have business to live, but to propose a sand mine
24 right in our community -- here's McArtor Lane,
25 here's another house, and then here's our house,

1 right in the midst of it.

2 Like I said in the comments, we are right in
3 Blue Waters' Mine. All they have to do is just
4 take a bite.

5 We do not need sand mine, Blue River's [sic]
6 Sand Mine, in this area. And you heard the saying,
7 saying -- there's a saying that goes, if you don't
8 stand for something, then you will fall for
9 anything, and y'all, we are standing for something.
10 We are not falling for just anything, because we
11 are not falling for the Blue mine coming on 378.

12 Thank you.

13 DONNA MOYE: Thank you, Ms. Curry.

14 Dylan Coleman? (Pause for response.) I see
15 here, Mr. Coleman, that you're speaking on behalf
16 of the Winyah Rivers Alliance.

17 DYLAN COLEMAN: That's right.

18 DONNA MOYE: Thank you for being here.

19 DYLAN COLEMEN: Can everyone hear me okay? We good,
20 people in the back? Perfect. Is it D-Y-L-A-N,
21 C-O-L-E-M-A-N.

22 So, yeah, my name is Dylan Coleman. I am the
23 Pee Dee and Lynches Project Coordinator for Winyah
24 Rivers Alliance. Winyah Rivers Alliance is a
25 nonprofit 501(c) riverkeeper organization that

1 focuses its attention -- it focuses its attention
2 on preserving, revitalizing, and monitoring the
3 lands and the waters of the Greater Winyah Bay
4 watershed. I'm here tonight to speak on behalf of
5 Winyah Rivers, to express some concerns, as well as
6 discuss some of the initiatives we've been
7 undertaking after hearing about the proposition of
8 this sand mine.

9 As the Great Pee Dee, Little Pee Dee, and
10 Lynches River coordinator, my job takes me wherever
11 those rivers might be, so that's all over the
12 state. But normally, when it comes to working on
13 the Lynches, I find myself in Florence fairly
14 often, more often than not working in communities
15 like Pamlico, Johnsonville, Hannah, and Poston, and
16 working at sites that some of you have probably
17 been to before: Half Moon Landing, Allison's
18 Landing, Persimmons Bluff Landing, multiple places
19 sampling for bacteria, namely E. coli, or any
20 harmful bacteria.

21 All through this past summer, you could find
22 me at any of those landings almost the entirety of
23 the summer. Half Moon Landing, though, has since
24 become a monthly monitoring site for us throughout
25 the entire year. Of course, Half Moon Landing is

1 located just about four river miles upstream of
2 where Deep Creek pours into the Lynches. So, we
3 established that prior to when we knew about the
4 sand mine. But since then, Winyah Rivers Alliance
5 has decided it would be best to add a second site
6 one mile downstream, allowing us to be able to
7 monitor and determine whether or not there have
8 been any adverse effects from water industry's
9 operations along Deep Creek.

10 That being said, that being said, Winyah
11 Rivers Alliance would like to request that an
12 environmental, an environmental impact statement to
13 be conducted and distributed to the public. Though
14 there have been surveys and assessments in regards
15 to cultural resources and endangered species,
16 respectfully, we insist that a comprehensive
17 environmental impact assessment must be undertaken
18 in order to address such concerns about the
19 potential environmental impacts of this operation
20 before this permit is approved. Thank you.

21 DONNA MOYE: Thank you, Mr. Coleman.

22 I do want to do a quick check in with you
23 right now it is 9:00 p.m., and I do still have nine
24 people who have signed up to comment, and again,
25 like I mentioned, we will offer the opportunity for

1 anyone to comment who did not sign up to comment.

2 Next, we have Allen Keith. (Pause for
3 response.)

4 ALLEN KEITH: My name is Allen Keith. I stand before
5 you, first of all, to say that I oppose this mine,
6 and I don't represent anybody but me and my family,
7 but I believe you can hear the voices here. I
8 think everybody here is in opposition to it.

9 I'd like to state some of the health reasons
10 that come to mind. First of all, the silica dust,
11 as we all know, causes silicosis, and any other
12 respiratory illness that you might have, this dust
13 will make it even worse, even causing lung diseases
14 such as COPD.

15 Who does that affect? Well, first of all,
16 elderly people, and there are a lot of elderly
17 people that live in close proximity of this mine,
18 and then, children. I think we've also heard some
19 of the explanations of that.

20 One of the concerns I have is that this
21 facility, where they are processing the sand, I
22 know it's a wet mining process, but they are going
23 to have to process it. That means they're going to
24 have to dry it and sift it. During that time,
25 there will be air emissions.

1 I believe it should be -- if this plant is
2 allowed, then it has to be monitored and regulated.
3 And the question again is: Who is the enforcement
4 agency? This will be an MSHA site because it is a
5 mine, so I'm not sure how DHEC will be involved
6 with that.

7 Another issue, as we also saw the video
8 tonight, with the trucks and the dust. I actually
9 saw that this afternoon on another location down on
10 378, almost to Conway. Most of y'all are aware of
11 those mines down there. I saw the cloud cross the
12 road before I saw the truck pull up. So, it, it's
13 not just here, but there, as well.

14 So, there's spillage that will occur from
15 these trucks of the processed material. Then,
16 other vehicles that are driving around on those
17 roads will continue to stir it up, and we'll still
18 have airborne dust, as well as the silica itself.

19 You mentioned in the presentation about the
20 buffers for noise. I believe you're correct that
21 as you get further away, obviously, the noise
22 dissipates, but who's going to monitor the noise?
23 That, typically, would be, again, would be MSHA.

24 And we talked about the backup alarms on the
25 truck; that's not the only alarms. There are

1 requirements in the law and MSHA regulations for
2 every piece of equipment. When it starts, there
3 has to be an alarm, and it has to be heard
4 throughout the entire plant. And if you're within
5 a mile of one of these plants, you're going to hear
6 those start-up alarms as they go off. And there's
7 bells, and there's whistles, and there's all kinds
8 of things. As a matter of fact, the folks that
9 work at those plants are required to wear hearing
10 protection.

11 Heavy traffic has been addressed a little bit,
12 but my concern with that is once these big trucks
13 get on our local roads, -- I'm not talking about
14 378 -- the backroads back there, and a small child
15 walks in front of a big truck, he is not going to
16 be able to stop. And this is a family-oriented
17 community, and we're very concerned about that.

18 The other thing I heard during the
19 presentation tonight was the issue of the
20 dewatering. You said that they have, you mentioned
21 they have discharge permits during this process.
22 Where does that go?

23 We all know that the dewatering will have
24 sediments in it. Those sediments will go into some
25 of the local stream, and, obviously, Lynches River

1 is only one mile away. That's where it'll end up,
2 because that is the endpoint for all the water,
3 runoff water.

4 And I'll conclude with this. Again, I'm
5 opposed to this mine. I don't think it should
6 brought to this local community, and we would
7 appreciate DHEC considering what you have heard
8 tonight. Thank you.

9 DONNA MOYE: Thank you, Mr. Keith.

10 Next, I have Ernest, and the last name begins
11 with a "B". (Pause for response.) I cannot quite
12 make it out, but it's Ernest who lives on Shady
13 Road.

14 UNIDENTIFIED FEMALE: He stepped out.

15 DONNA MOYE: He stepped out? Okay, we'll come back.

16 Okay, next, I have Ms. Kathy Poston. (Pause for
17 response.)

18 KATHY POSTON: Good evening.

19 COURT REPORTER: I need the, I need the correct
20 spelling of Kathy, please.

21 KATHY POSTON: K-A-T-H-Y, P-O-S-T-O-N.

22 Thank you for the opportunity to speak to you
23 tonight about my opposition to the proposed Henry
24 Tract Mine, I should say, the proposed Henry Tract
25 Mine project. Everybody has touched on everything

1 that is near and dear to my heart and is of a major
2 concern to me except for one thing. I grew up
3 adjacent to this proposed tract of land. I grew up
4 on Deep Creek. It was home. I now own the small
5 farm that I grew up on, and my son and his family
6 live there, now.

7 I'm concerned about a mine of this magnitude
8 with a processing plant on site. What could happen
9 to the lives and the property in the event of a
10 major water issue like we have seen in the past few
11 years?

12 And I know that everything looks good on
13 paper. You can make everything right on paper.
14 But when you live in an area for your whole life
15 and you see, from day to day, you see changes that
16 happen when something like this comes in, the
17 people that live in this area know that what's on
18 paper is not always reality. And from the size of
19 this, this group tonight, we know that everybody
20 here is very concerned, and we're united in how we
21 feel about our opposition to this, this project
22 coming into our area.

23 And also, I have -- would like to address some
24 of the answers that were in the permit. On page
25 seven of the, of the permit, answer one says, "The

1 mine permit area is along highway 378, a four-lane
2 highway."

3 That is correct. Highway 378 is a
4 four-lane highway, but it's not just a four-lane
5 highway. It is a major artery from Columbia to
6 Myrtle Beach, South Carolina, and we see on a daily
7 basis what goes on that highway, and you are
8 projecting to put a mine in between wetlands and a
9 major highway. That's a perfect storm, folks.
10 It's a perfect storm getting ready to happen.

11 And the, the southwest part of this, portion
12 of this property borders my little farm in Deep
13 Creek. The wetlands run into Deep Creek. I've
14 seen Deep Creek flood, and not only does Deep Creek
15 run through this property, it runs on down to the
16 south where I live now in a little community. But
17 to my knowledge, nobody has ever come and done any
18 test or studies. There are -- within a one and a
19 half mile radius, there are 200 people, 200
20 residents, residents that live there.

21 And also, in the application it says on page
22 seven, answer two, it says, "The mine is in a rural
23 agricultural area with limited rural residences."

24 I don't consider 200 residences rural. I
25 consider that homes with people who, as Ms. Curry

1 stated, live their lives. We love. We live our
2 lives. We love our neighbors. We go to church.
3 We go to school. Two hundred lives is not,
4 residences, is not a limited amount.

5 And also, answer six, the life of the mine.
6 How long is that? Who determines how long it is?
7 Okay, approximately 30 years. How do you control,
8 how do you control all the things that you say you
9 can do in a 30-year time? I mean, that's probably
10 longer than most of us, the older folks here, are
11 going to be around.

12 I just want to say that, in closing, I implore
13 you to please carefully consider everything that
14 has been said here tonight on behalf of the
15 community that opposes this project, and it is
16 obvious that we oppose this project. Please,
17 before you make this decision, we have unanswered
18 questions. As I stated before, it's easy to make
19 things look good on paper. Everything can be right
20 on paper but, in reality, we know that things are
21 different. And at the end of the day, at the end
22 of the day, it'll be the local citizens that bear
23 the burden and the expense of this project with no
24 benefit to our health, our safety, our quality of
25 life, or our economic growth, and there will be no

1 return on our investment. Thank you so much.

2 DONNA MOYE: Thank you, Ms. Poston.

3 Next, we have Trapper Fowler speaking on
4 behalf of the Coastal Conservation League. (Pause
5 for response.)

6 TRAPPER FOWLER: Trapper Fowler, T-R-A-P-P-E-R, last
7 name Fowler, F-O-W-L-E-R.

8 Thanks for letting me speak tonight. I'm not
9 a part of the community, but I am in adjacent Horry
10 County, and cover this area as part of my work.
11 There's been a lot of great comments, so I'm just
12 going to focus on one thing that I feel like needs
13 to be extrapolated upon.

14 I just want to say that I think this mine
15 application, as it is, should not be approved. I
16 don't think anybody wants this mine, and I think
17 this application falls short of protecting the
18 flora, fauna, and habitat of the area.

19 I want to focus on wetland buffers or the lack
20 of that's proposed in this application. The mine's
21 currently proposing 50 feet. I mean, I think we
22 should recommend at least 150 feet minimal. This,
23 this buffer would be for filtration of
24 sedimentation. It could be habitat for the
25 adjacent wetlands and the wildlife that call it

1 home, flood storage and water quality.

2 Buffers, wetland buffers, remove sediments.

3 Sediments may be more consistently removed by
4 buffers that are somewhere between 30 and a hundred
5 feet. This mine's proposed at 50, but
6 progressively larger buffers may be required to
7 filter out incrementally greater amounts of
8 sediments. These are all citations that I'll
9 provide in my written comments through
10 peer-reviewed journal articles.

11 Given this mine's only a mile upstream of the
12 scenic Lynches River and it's over 200 acres in
13 size, it'll be extracting, transporting,
14 processing, and disturbing an enormous amount of
15 soil. Wetland buffers should be on the higher end
16 of that specified recommendation, so way above 50
17 feet, to ensure water quality and habitat
18 protections for the wildlife and for the residents.

19 From the review of the literature, Sheldon et
20 al., 2005, suggests that coarse sediments are
21 likely removed efficiently in the first 16 to 66
22 feet of the buffer, and removal of finer particles
23 may require buffers of at least 66 feet. Again,
24 here, buffers must be at least 66 feet minimum if
25 fine sand particles are present. The proposed is

1 only 50. This could be inadequate; it's likely
2 inadequate.

3 Water buffers also may be necessary to
4 maintain sediment removal efficiencies over the
5 long term, as buffers become saturated with the
6 sediment that they're trying to filtrate out. This
7 explains why water buffers are warranted, given
8 that this sand mining operation will last for up to
9 30 years, perhaps more. So, we need wider buffers.

10 I'm aware of several 30-acre mines, plus or
11 minus in acreage, that require 50 foot buffers,
12 and, you know, through our work, we've seen 30-acre
13 mines be forced to have hundred foot buffers. This
14 is a 200-plus-acre mine. I mean, you think about
15 that ratio, and 50 feet sure seems inadequate,
16 especially given that, you know, it is just a mile
17 upstream of the scenic Lynches.

18 Buffers also provide habitat. They're
19 important for spotted turtles that utilize both the
20 wetlands and the uplands as part of their
21 lifecycle. You start looking at those required
22 wetland buffers for spotted turtles and you're
23 looking at 300 feet, maybe even more. So, again,
24 this needs to be on the upper end. Swallowtail
25 kites, they could benefit from larger buffers,

1 because they need mature, large, tall trees for
2 their nesting sites. They've been reported in the
3 area from what I understand by residents. The
4 survey also said that there was suitable habitat.

5 I know I'm running out of time. Northern
6 long-eared bats' roosting trees could also benefit
7 if they are in the area with increased buffer
8 sizes.

9 Lastly, I just want to say that, you know,
10 it's proposed that this mine, in their reclamation,
11 will use a non-native lespedeza. This species is
12 noxious, it's invasive, and it's been identified as
13 a severe threat by the South Carolina Exotic Plant
14 Council.

15 Given that this project will no doubt have
16 impacts on the natural resources, every attempt
17 should be made by the applicant to lessen those
18 impacts by reclaiming the mine in native wildlife,
19 pollinator-friendly plantings.

20 And just real, real quick, I promise I'm
21 wrapping up. Has -- hydraulic dredging, like
22 proposed for this mine, has been used in, you know,
23 how many cases in this area and these soils
24 adjacent to waterbodies such as Deep Creek and
25 upstream just of Lynches? Are there other

1 examples? This seems like a new thing.

2 Does this mine plan to sell sand to other
3 trucking companies? I understand that they may
4 have all the best intentions, but how are they
5 going to have quality control for contracted trucks
6 for other companies? That's also an issue we've
7 ran into.

8 Thank you very much.

9 DONNA MOYE: Thank you, Mr. Fowler. And it just so
10 happens that our next speaker is Becky Ryon, also
11 with the Coastal Conservation League.

12 BECKY RYON: Good evening. My name is Becky Ryon, B-
13 E-C-K-Y, R-Y-O-N. I'm the North Coast Office
14 Director with the Coastal Conservation League.
15 Thank you for the opportunity to comment on this
16 proposed sand mine.

17 The Coastal Conservation League urges denial
18 of the permit application for a large scale mining
19 operation adjacent to Deep Creek, a tributary of
20 the Lynches River, one of our state-designated
21 scenic rivers. The South Carolina Mining Act, SC
22 Code Section 48-20-10, and accompanying mining
23 regulations at SC Code Regulation 89-10, provide
24 specific standards and prohibitions governing what
25 mining activities may be permitted by DHEC. The

1 purpose of the ACT is to provide that no mining may
2 be carried on in the state unless plans for the
3 mining include reasonable provisions for the
4 protection of the surrounding environment and for
5 reclamation of the area of land affected by mining.

6 The ACT specifically provides that DHEC shall
7 deny an operating permit upon finding any of the
8 following: one, the operation will have undue
9 adverse effects on wildlife or fisheries; two, the
10 operation will violate standards of air quality;
11 surface water quality, or groundwater quality;
12 three, the operation will constitute a substantial
13 physical hazard to a neighboring house, school,
14 church, or public road; four, where previous
15 experience with similar operations indicates a
16 substantial possibility that the operation will
17 result in substantial deposits of sediment in
18 stream beds or lakes, landslides, or acid water
19 pollution.

20 In the comment letter dated September 22nd,
21 2023, the DNR noted the likely presence of spotted
22 turtles, a federally at-risk and state-threatened
23 species, and nearby records of American eel in Deep
24 Creek, and in the Lynches River, records of
25 American shad and blueback herring, and records for

1 pickerel frog, and the federal at-risk species
2 Eastern diamondback rattlesnake. Neighbors have
3 also reported sightings of swallowtail kite, a
4 state-endangered species. The clearing and
5 excavation of over 200 acres will undoubtedly have
6 undue adverse effects on the terrestrial wildlife
7 present, as well as the aquatic life in Deep Creek
8 and the Lynches.

9 Neighbors have also raised concerns about the
10 impacts the decades of heavy truck traffic will
11 have on 378 in terms of wear and tear on the road
12 and public safety. Sand mining and especially
13 truck traffic are known to significantly reduce air
14 quality due to dust, particulate matter, and
15 emissions. These pose respiratory and
16 cardiovascular health risks for the surrounding
17 community.

18 Furthermore, the floodplain associated with
19 Deep Creek is a special flood hazard area, Zone A,
20 and extends several hundred feet into the mine
21 site, including portions of the Phases 4 and 5. In
22 the event of a major storm, this risks significant
23 runoff and sedimentation of Deep Creek and the
24 scenic Lynches River.

25 For these reasons, we urge you to uphold the

1 regulations in the Mining Act and deny this permit.

2 DONNA MOYE: Thank you, Ms. Ryon.

3 Lenora Eaddy? (Pause for response.) I know
4 we're losing some people. Is Ms. Eaddy still here?

5 UNIDENTIFIED SPEAKER: She left.

6 DONNA MOYE: She left. Please let the record reflect
7 that Ms. Eaddy is no longer here to provide her
8 comment.

9 Debra, and I'm not going to try to -- I can't
10 quite read the last name.

11 DEBRA BUFFKIN: Buffkin.

12 DONNA MOYE: I'm sorry? I was about to say Executive
13 Director at Winyah.

14 DEBRA BUFFKIN: I can speak; that's fine.

15 DONNA MOYE: Okay.

16 DEBRA BUFFKIN: I'm not prepared, but I ---

17 DONNA MOYE: Well, I see that you noted that Dylan
18 Coleman was going to be speaking on behalf of the
19 Alliance, so that's fine, or if you would like to
20 comment now as well, you can do that.

21 DEBRA BUFFKIN: I can say a few words.

22 DONNA MOYE: Okay, thank you.

23 DEBRA BUFFKIN: Thank you.

24 DONNA MOYE: Remember to spell your name.

25 DEBRA BUFFKIN: Hi, I'm Debra Buffkin, D-E-B-R-A,

1 B-U-F-F-K-I-N. I'm the Executive Director of
2 Winyah Rivers Alliance. Thank you all for coming
3 here today.

4 At Winyah Rivers Alliance, we monitor all the
5 rivers that flow into the Winyah Bay, including the
6 Lynches River. And as Dylan Coleman already said,
7 he's been monitoring some of the sites on the
8 Lynches River. He's been doing trash cleanups
9 throughout the entire watershed, especially on
10 Lynches, Little Pee Dee, and Big Pee Dee.

11 Our concern here today is not only for the
12 river, but it's for the community here that has to
13 be and that will be affected by this sand mine. We
14 are not -- our organization fights a lot of other
15 industries when it comes to pollution, and when it
16 comes to pollution in our rivers and on our
17 wetlands, and we strongly promote wetland
18 conservation as well.

19 We try to say that we're not opposed to
20 industry, but we want it done right and, as I was
21 saying earlier, we want it done beforehand. We
22 want all the assessments, all the testing,
23 everything done beforehand so that we can see what
24 kind of impact it's going to have on the river, and
25 on the wetlands, and on the communities, and the

1 health of the communities, and the health of the
2 people in the communities. They matter, and they
3 matter more than a sand mine does.

4 No offense to you guys, but it really does.
5 The community matters. The people matter. The
6 health matters.

7 You have this little boy with a heart problem
8 that came up here and he's living next to this sand
9 mine. What kind of dust is going to get in this
10 little boy's chest? He already has heart issues.
11 So, the health of the communities has to be
12 important. It has to be considered. It has to be
13 carefully considered, not just the financial
14 impact.

15 We need, like I said, -- they have a dozen
16 people being hired by this sand mine, and that's
17 great for those dozen people. What about dozens
18 and dozens of other people in the community that
19 are going to be affected by the sand mine? What
20 about the endangered species that Trapper Fowler
21 and Becky Ryon were talking about? What about
22 water quality?

23 The Lynches River is right down the road from
24 this sand mine. Do you know, without doing some
25 kind of assessment, environmental or somewhere

1 related to an environmental impact of the whole
2 entire area, how are you going to know what is
3 going to happen to the water quality, to the
4 quality of the land, to the people, to the
5 community? You're not going to know if you don't
6 do it beforehand. All we ask these industries, do
7 it beforehand. Let's see what's going to happen
8 first.

9 We don't want to come after you in a few
10 years, but if we find out it's made a negative
11 impact on the community and on the health of these
12 people, we will come after you in a few years.
13 I mean, that's just -- I'm not trying to be a fear
14 Mongol or anything like that, but we will, because
15 the people matter, the communities matter.

16 So, just do it right and protect them. We're
17 not opposed to you making some money or having -- I
18 know sand goes into the concrete, and the asphalt,
19 and all this development, which I'm not going to
20 get on that whole rollercoaster, because I believe
21 we need to stop some of this development on
22 wetlands and we have to protect our wetlands.

23 But we have to think of the communities you're
24 affecting, and I think the turnout here tonight, it
25 says enough. So, I hope DHEC considers everything

1 that's being said here tonight, considers the
2 community, considers the health of the people in
3 the community, and the health of our wetlands, and
4 the health of our rivers before you permit this
5 sand mine to come into this community.

6 Thank you, and I'm sorry I wasn't quite
7 prepared, but thank you.

8 DONNA MOYE: You must do this kind of thing an awful
9 lot. That sounded very prepared.

10 I do want to jump back to a couple that I
11 called on that we did not get a response, to give
12 them a second opportunity.

13 Ernest, the last name begins with a "B", on
14 Shady Road, and Davis who lives on Poston Road.
15 (Pause for response.)

16 Okay, we'll proceed. That was everyone that I
17 had who indicated on the sign-in sheet that they
18 would like to make a comment. I'm not saying that
19 we might've missed someone. So, as I mentioned
20 earlier, we would like to give anyone the
21 opportunity to speak now who has not already done
22 so.

23 So, if you would like to make a comment, if
24 you could raise your hand. (Pause for response.)

25 Okay, I see two. So, I saw you first. So, sir,

1 you can come on up. Again, I would say please
2 state and spell your name for the court reporter,
3 and then when you are finished, we'll jump back
4 here to this gentleman in, it looks like purple.

5 ROY REED: My name is Roy Reed, R-O-Y, R-E-E-D.

6 I live at 532 East Highway 378. I'm a
7 snowbird. I have two grandchildren, one's almost
8 eight and one's five months, and I'm concerned
9 about the noise. My grandson already holds his
10 ears whenever hears a siren or something.

11 The other issue I have about the health that
12 people talked about, the sand. My parents worked
13 for Corning Glass. Glass is made from silica.
14 Silica comes from sand. My neighbors on one side,
15 the husband's blind, the wife has had a stroke, and
16 their son has had two heart attacks. They're all
17 disabled. They can't get out much, and I don't
18 know how all the issues of the sand is going to
19 bother them.

20 The neighbor on the other side only has one
21 leg, so he can't get out very much either, which is
22 probably why he's not here tonight.

23 Anyway, I just wanted to address those issues
24 and thank you everybody.

25 DONNA MOYE: Thank you so much, Mr. Reed.

1 Sir, right back here, would you still like to
2 make a comment? Again, please state and spell your
3 name for the court reporter.

4 STEVE TILLQUIST: Steve Tillquist, S-T-E-V-E,
5 T-I-L-L-Q-U-I-S-T.

6 Again, I just want to thank everybody for
7 being here tonight. I talked to some of y'all
8 along with Cliff at Blue Water. I want to take a
9 minute just to address a few small things I heard,
10 and I think it'll -- instead of y'all coming up to
11 us individually.

12 One, I'll start with the buffers. Fifty-foot
13 buffers are obviously -- that's where you want to
14 be at a minimum, right? So, we have to operate
15 inside those buffers. So, let me paint a picture
16 as to where if you have 50-foot buffer and then you
17 have heavy equipment. The piece of heavy equipment
18 is another 15 foot wide. So, you immediately
19 establish at least a 70-foot buffer, just so you
20 know that.

21 Secondly, the drying of the process, it's a
22 complete wet process. It goes through a wet screen
23 at the plant and then into a classifier. So,
24 nothing's ever dried onsite, so there's no dust or
25 anything involved in the operation system.

1 You basically dredge a few feet deep. It
2 stays contained in the pipeline and then also in
3 pumps. It comes up to the plant, goes through a
4 screening machine, where it's still wet, into what
5 we call a classifier tank that has water and slurry
6 in it. It goes into a couple of sand screens and
7 is separated out hydraulically by water. So, I
8 just wanted to clear that up.

9 Again, I'm Steve Tillquist, Operation Manager
10 for Blue Water. If y'all need anything, I'm over
11 here. Thank you.

12 DONNA MOYE: Thank you, sir. Is there anyone else who
13 would like to make a comment for the record?

14 (Pause for response.)

15 Yes, sir, come on down.

16 ANTHONY ALTMAN: Good evening. My name is Anthony
17 Altman. That's A-N-T-H-O-N-Y, Altman, A-L-T-M-A-N.

18 I'd like to say there were a bunch of good,
19 great points that were made during this event
20 tonight: a lot that deal with our community, a lot
21 that deal with our influence in the community, and
22 our active goal to demonstrate our concern for this
23 mine.

24 I'd first like to state that I don't think
25 we're prepared to move forward with this process.

1 I don't think we've had the right ecological
2 studies done. I don't think we've had the right
3 financial studies done. I'd like to dive into
4 financials just a little bit.

5 You've got to think, this community, they put
6 their home and their land, and they think of that
7 as an investment. And I know you guys at Blue
8 River [sic], this is an investment for you guys,
9 too, but unfortunately your investment decreases
10 our investment. I don't think there's been an
11 actual study on what that does to housing, our cost
12 of living around here, and our property value.

13 I also don't think that we've done a proper
14 study on some of the storm situations we have in
15 the community. The runoff creek that runs directly
16 behind your proposed site, there has been various
17 times that within the past 15 years of very, very
18 severe floods. So, I think that we should also
19 establish some type of flood survey just in
20 preparation of floods that we know are going to
21 happen. They have every three years.

22 I also don't think, in my opinion, that you
23 guys have the best interest of the community in, in
24 your -- you're here to make some money and DHEC's
25 here to check and balance that, and I'm not sure

1 DHEC has our best interest in their mind right now
2 either. Now, I would like all of you to think
3 about that when you go home tonight. Thank you.

4 DONNA MOYE: Thank you, Mr. Altman.

5 Is there anyone else who would like to make a
6 comment? (Pause for response.)

7 I will remind you that the comments made here
8 tonight are made a part of the official transcript.
9 However, any written comments that we receive are
10 included in our official documentation of this
11 site. So, if you choose to submit written
12 comments, they're going to be considered the same
13 as any comments made here tonight. So, please keep
14 that in mind as you leave here.

15 So, I know it's been a late evening. I do
16 appreciate so many of you staying around. I would
17 ask you to stay for just a moment longer. I want
18 to make sure that you are aware of our next steps
19 and how to stay in touch with us.

20 Again, thank you so much for being here. On
21 behalf of everyone with DHEC, we really do
22 appreciate your involvement in this process,
23 especially when we come into your community and,
24 you know, it's such a late night. We do recognize
25 that, and we do recognize that we're taking away

1 time from your families, but it is so encouraging
2 to see so many of you invested and interested in
3 this project. And so, I applaud each of you for
4 being a part of this process with us.

5 Please note once again that written comments
6 may be submitted to DHEC through December 22nd,
7 2023. All written comments received on or before
8 this time will be considered in our decision-making
9 process. If you have questions about submitting
10 written comments after tonight, please see a DHEC
11 staff member before you leave.

12 Once the public comment period closes, DHEC
13 will review and consider all comments received
14 prior to making a final decision. If necessary,
15 additional information may also be requested from
16 the applicant. Once a final decision is made by
17 DHEC, a summary response to all written comments
18 received will be provided to everyone who signed in
19 here tonight, as well as to those who submitted
20 written comments during the public comment period.
21 The final permit decision will also be posted on
22 our webpage, and a summary response to all comments
23 received will be provided if a mine operating
24 permit is issued.

25 You have the right to request a final review

1 of any permit decision made by DHEC. The final
2 review request must be submitted in writing to
3 DHEC's Clerk of the Board, along with a filing fee
4 and the amount of \$100, within 15 days after notice
5 of DHEC's permit decision has been mailed. And I
6 will just add a small caveat there. I'm sure many
7 of you have heard in the news about our split at
8 the agency that is scheduled to occur officially
9 next year. So, this process is still in place, and
10 it will not, our split will not affect this
11 decision being made before that split is final.

12 In consideration of the requirement of you
13 receiving notification of our final decision, you
14 will receive that by US mail or by email. If you
15 wish to be notified of DHEC's final decision by
16 certified mail instead, please make your request in
17 writing no later than December 22nd, 2023.

18 Again, we will be updating our webpage with
19 the presentation and the handout that was provided
20 to you tonight, and I believe Mr. Hicks consented
21 that it was okay to include his contact information
22 on our webpage, if you're not able to speak with
23 him tonight, so that you could follow up with him
24 if you have any questions.

25 Again, continuing the conversation is really

1 important to us. Not only through this process,
2 but even after this process, depending on what the
3 decision is, we want to stay engaged with you. I
4 mean, that's part of what we do, and not only for
5 this proposed site, but any other environmental
6 issues that you may have in your community or
7 questions. We want to make sure that you know how
8 to get in touch with us. So, we have included the
9 names of some staff people who are here tonight and
10 I think we stood up, but I think most of our staff
11 are right here at this middle table. Please touch
12 base with us before you leave if you'd like to have
13 some follow up conversations with us.

14 And I will go ahead and reach out, because
15 this does not have phone numbers, and provide
16 Jeremy's phone number for all of you in case you
17 want it and you're not able to speak with him.
18 It's area code (803) 898-7609.

19 And again, my name is Donna Moye. I'm on the
20 Community Engagement end of what we do, and you can
21 reach me at area code (803) 898-1382.

22 So, on behalf of DHEC, again, thank you for
23 your attendance and comments this evening. The
24 time is now 9:37 p.m., and this public hearing is
25 officially adjourned. Thank you so much.

1 (Whereupon at 9:37 p.m. this Public
2 Hearing was adjourned.)

3 (*This transcript may contain quoted material.
4 Such material is reproduced as read or quoted
5 by the speaker.)

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STATE OF SOUTH CAROLINA)
) C E R T I F I C A T E
COUNTY OF HORRY)

BE IT KNOWN, that I, Cara-Leigh V. Richardson,
took the foregoing proceeding and hereby attest:

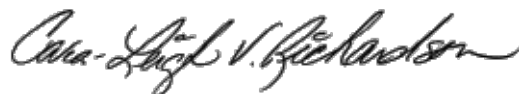
That I was then and there a notary public in and
for the State of South Carolina-at-large and that by
virtue thereof I was duly authorized to administer an
oath;

That the foregoing Public Hearing was taken down
by me and reduced to written form by means of Stenomask
with backup;

That the foregoing transcript represents a true,
accurate, and complete transcription of said Public
Hearing at the time and place aforesaid to the best of
my skill and ability;

That I am neither a relative nor an employee of
any of the parties hereto, nor of any attorney or
counsel employed by the parties hereto, nor interested
in the outcome of this action;

IN WITNESS THEREOF, I have hereunto
affixed my signature and title.



Cara-Leigh V. Richardson

Date: January 5th, 2024
Notary public for South Carolina
My commission expires July 10, 2025