



SC DEPARTMENT of
**ENVIRONMENTAL
SERVICES**

October 24, 2024

VIA CERTIFIED & FIRST-CLASS MAIL

9214 8969 0099 9790 1425 9144 12

Sunnyhill Northlake Inc.
C/O Fred Oxley
220 Anns Court
Camden, SC 29020

9214 8969 0099 9790 1425 9144 43

South Lake Inc
c/o Benjamin Mingo
218 Leonard Circle
Camden, SC 29020

RE: Notice to Comply
UPPER SUNNY HILL POND DAM, Dam Number (D2523)

Dear Owners,

By Certified letter dated July 18, 2024, the Department sent you a summary of the findings of a preliminary inspection of your dam and listed required actions for you to complete to bring the dam back into compliance.

Those actions included:

Repair Activities Requiring a Permit

- Engage a Professional Engineer to evaluate the condition and stability of the dam, especially around voids and sinkholes, and develop a permit application for repairs of voids and stabilization of the crest and slopes.
- Engage a Professional Engineer to evaluate the area of the downstream slope experiencing scarping and to develop a permit application for slope repair and stabilization.
- Engage a Professional Engineer to develop a tree management plan to address the trees and stumps greater than 4 inches in diameter at breast height.
- The newly formed sinkhole may be a sign of internal erosion within the dam, engage a Professional Engineer to conduct a full investigation into the extent of voids/internal erosion pathways within the dam.

Maintenance Activities NOT Requiring a Permit

- Manage/remove brush and woody vegetation less than 4 inches in diameter.
- Develop grass coverage or other form of erosion protection following deleterious vegetation removal.

info@des.sc.gov | des.sc.gov | 803.898.3432

As of the date of this letter, the Department's records indicate that you have not fully complied with the requirements of the Department's July 18, 2024, letter. Therefore, at this time, the Department requires:

- **Submission of a permit application prepared by a registered Professional Engineer licensed in South Carolina by December 5, 2024.**
- **Submission photographic documentation of the completion of required maintenance items, or have your engineer address maintenance concerns within the permit application.**

Additional information or documentation may be required by the Department to determine compliance with the requirements of this letter.

If you believe it necessary, you may contact the Department to discuss the possibility of an extension to these deadlines.

Failure to maintain the dam in a safe condition is a violation of the SC Dams and Reservoirs Safety Act, S.C. Code Ann. 49-11-110, et seq., (2008). Failure to comply may result in the Department taking an enforcement action, which may include the assessment of civil penalties pursuant under the SC Dams and Reservoir Safety Act, S.C. Code Ann. 49-11, et seq. (2008) and Regulation 71-1, et seq. (2012).

All correspondence should be directed to:

SCDES - Dam Safety Program
2600 Bull Street
Columbia, SC 29201

Should you have any questions regarding the requirements of this letter, please contact me by phone at (843) 661-4825, or by email at Jared.Woodard@des.sc.gov.

Sincerely,



Jared Woodard
Regional Dam Safety Engineering Associate
Dam Safety Program – Bureau of Water

Enclosed: List of Engineers

cc: Margaret Spence, Compliance and Enforcement Section (via email)