



February 11, 2025

Via First Class Mail and Electronic Mail

Sunnyhill Northlake, Inc.
c/o Fred Oxley
220 Anns Court
Camden, SC 29020
Email to: fred6812@aol.com

Subject: SUNNY HILL POND DAM, D2523, Kershaw County, High Hazard Class

Dear Mr. Oxley:

The South Carolina Department of Environmental Services (“Department” or “SCDES”) is committed to working with dam owners and the communities in which they reside in collaborative efforts to address dam safety issues. SCDES staff met with Mayor Sheheen and staff from the City of Camden on Friday, January 10, 2025, after members of the Sunnyhill subdivision reached out to them on your dam. SCDES staff provided them a summary of the deficiencies detected from the preliminary inspection performed following the development of the void on the crest that resulted in closure of Sunnyhill Drive across the dam in July 2024. SCDES and the City committed in the meeting to work together to serve the citizens of the City to assess if there are actions within our respective capabilities to aid the community.

In the interim, the Department is suspending the deadline of March 28, 2025 for the submission of a permit application for repair of the dam and for performing maintenance on the dam that was given in its letter dated January 3, 2025. SCDES will evaluate imposing a new deadline on the 15th of every month in consideration of the dam owner taking the steps outlined below. There is no question from the Department’s experience that Upper Sunnyhill Dam is unsafe and in poor condition, meaning additional studies and investigation are needed to formulate a plan to make the dam safe. Until these can be completed, as the dam owner, action on your part is needed to mitigate risk to people, homes, and infrastructure below the dam that could result from dam failure. These actions are:

- Work to lower the water level by removing additional boards from the spillway, and keep the water level low thereafter. Not only will this action reduce potential risk but aid in evaluating the condition of the spillway barrel and upstream slopes.
- Remove small trees (i.e., those less than 4” in diameter) and brush from the upstream and downstream slopes along the length of the dam. This can be done by members of your community and will aid engineers and others in getting an unobstructed view of the dam’s surface.

- Finalize an Emergency Action Plan for this dam.

Alongside taking steps to lower the water level and remove brush and small trees, it is imperative, as we've requested in prior correspondence, that you seek out a South Carolina-licensed Professional Engineer familiar with the design and permitting of dams to perform a thorough assessment of the dam and then develop a permit application for repair. To assist you in your search, you will find attached a list of South Carolina-licensed Professional Engineers that have obtained permits from the SCDES Dam Safety Program that is routinely provided as a courtesy to dam owners. You are not restricted to working with the engineers on this list, however.

Lastly, you must continue to monitor the condition of the dam. Please notify the Department immediately if you notice any change in the dam's condition. The South Carolina Dams and Reservoir Safety Act, S.C. Code Ann. 49-11-110, et seq., (2008), places sole responsibility for maintaining a dam in safe condition in the hands of the dam's owners. If no willingness or effort is shown to address the deficiencies at Upper Sunnyhill Dam, the Department will proceed with issuing an "Inspection and Repair Order" and/or a "Maintenance Order" pursuant to the S.C. Dams and Reservoir Safety Act, S.C. Code Ann. 49-11-110, et seq. (2008) and Regulation 72-1, et seq. (2012).

Sincerely,



Jared Woodard, Engineering Associate
Dam Safety Program
Bureau of Laboratory and Regional Services
Pee Dee Region, Florence office

cc: Hon. Vincent Sheheen, Mayor, City of Camden (via email to: vsheheen@camdensc.org)
Matt DeWitt, City Manager, City of Camden (via e-mail to: mdewitt@camdensc.org)

Enclosure (List of Engineers)