

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

STATE OF SOUTH CAROLINA        )  
COUNTY OF HORRY                )

In Re:                                )  
  ADRIAN SAND, LLC,                )  
  Proposed Adrian Sand/Clay        )  
  Mine Application, Horry            )  
  County, South Carolina            )

PUBLIC HEARING &  
COMMENT PERIOD

DATE:            Tuesday, May 7th, 2024

TIME:            7:00 p.m.

LOCATION: Homewood Elementary School  
          Multipurpose Room  
          108 North Clemson Circle  
          Conway, South Carolina 29526

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:

Derrick Stanley, HEARING OFFICER  
Katelyn Mills, PERMIT WRITER  
Jeremy Eddy  
Ben Thepaut  
Sarah Harris

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1 P R O C E E D I N G

2 DERRICK STANLEY: Good evening, once again. The time  
3 is now 7:00 p.m. on Tuesday, May 7th, 2024 and this  
4 public hearing will now begin. This public hearing  
5 is being held by the South Carolina Department of  
6 Health and Environmental Control, also known as  
7 DHEC, to accept comments and supporting information  
8 on the application submitted by Adrain Sand, LLC,  
9 to mine sand and clay at a 52.3 acre site located  
10 on Chow Lane in Horry County, approximately eight  
11 miles northeast of Conway, South Carolina.

12 This is a formal proceeding and DHEC staff  
13 will not be responding to questions or comments.  
14 Comments made tonight are being recorded and will  
15 be included in a written transcript prepared by the  
16 certified court reporter seated to my right. The  
17 transcript will serve as the official record of  
18 this public hearing and will be posted on DHEC's  
19 webpage when available.

20 Again, my name is Derrick Stanley and I'll  
21 serve as your Hearing Officer tonight. Thank you  
22 for taking the time to be here for this important  
23 step in DHEC's permitting process. I would also  
24 like to welcome and thank any mining  
25 representatives, local government officials, or

1 members of your legislative delegation who may be  
2 in attendance tonight to hear your comments.

3 I mentioned our webpage a moment ago. DHEC  
4 has created this webpage for online access to  
5 information about the proposed mine. That webpage  
6 address [www.scdhec.gov\AdrianSandClay](http://www.scdhec.gov\AdrianSandClay). I encourage  
7 you to visit this webpage for additional  
8 information and future updates.

9 Before I go over how we'll proceed, there are  
10 a couple items that I would like to address.

11 First, I would ask that you please silent your  
12 cell phones or other electronic devices so that  
13 others are not disturbed during this hearing.

14 Next, if you have not already done so, I  
15 encourage each of you to sign the attendance sheet  
16 located at the sign-in table so that we have a  
17 complete record of everyone here tonight. We have  
18 asked for your mailing or email address on the  
19 sign-in sheet so that we know how to notify you of  
20 future information regarding this proposed mine.

21 Finally, you should have received an agenda  
22 when you signed in. The agenda shows the steps of  
23 this hearing and includes mailing information if  
24 you would like to submit written comments after  
25 tonight.

1           The permitting process at DHEC begins when an  
2           application is received for one or more  
3           environmental permits. During this process, an  
4           applicant must show that its proposed operation can  
5           comply with all applicable state and federal  
6           regulations. These regulations have been written  
7           to ensure that human health and the environment are  
8           protected.

9           In addition to reviewing the application,  
10          DHEC's role is to write and, if issued, enforce  
11          permits that meet the requirements of the  
12          regulations.

13          You also have a role in DHEC's permitting  
14          process. That's what brings us here tonight, to  
15          receive your comments formally for the record.

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

24          A presentation on the proposed mine and DHEC's  
25          permitting process was provided by Katelyn Mills of

1 DHEC's Mining and Reclamation Section during the  
2 public meeting held at 6 p.m. This presentation  
3 will be made available on our webpage before the  
4 end of the public comment period.

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 for the record  
8 by Katelyn Mills. I will then begin the public  
9 comment portion of the evening by randomly calling  
10 on those who indicated on the sign-in sheet that  
11 you would like to make a comment. If you have  
12 decided that you no longer wish to comment when you  
13 are called on, you may decline at that time.

14 Finally, I will give anyone who has not had a  
15 chance to speak the opportunity to make their  
16 comments. After all comments have been heard, I  
17 will make closing remarks and this public hearing  
18 will be adjourned.

19 For everyone to have fair and equal  
20 opportunity to participate tonight and to ensure  
21 that we proceed in a timely and effective manner,  
22 the following four guidelines have been  
23 established.

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

1           Second, your comments should not go over three  
2           minutes per individual or five minutes for elected  
3           officials and those speaking on behalf of an  
4           organized group. I will gently remind you if you  
5           do not conclude your comments at that time. If you  
6           are not able to present your comments within the  
7           allotted time, please remember that you may submit  
8           them to DHEC in writing by the close of the public  
9           comment period.

10           Third, please be respectful towards anyone  
11           speaking here tonight and follow the time limit  
12           that has been set. You each have a unique and  
13           valued perspective. No one comment is considered  
14           more important than another.

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

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

20           I will now call on Katelyn Mills to read a  
21           brief statement about the mine operating permit  
22           application.

23           KATELYN MILLS:           Thank you. On November 9th, 2023,  
24           Adrian Sand, LLC, submitted a mine operating permit  
25           application to mine sand and clay in Horry County.

1           The proposed mine has a total permitted area of  
2           52.3 acres consisting of 29.3 acres of affected  
3           area and 23 acres of buffer. There's no proposed  
4           processing on site. The reclamation plan proposes  
5           to reclaim the site as a lake or pond and  
6           grasslands.

7   DERRICK STANLEY:     Thank you, Katelyn. As we  
8           transition to the comment portion of this public  
9           hearing, I would like to reiterate that DHEC staff  
10          are here to listen to your comments. Answers or  
11          responses to questions will not be provided  
12          tonight. All comments made during this hearing are  
13          being recorded.

14                 If you're unable to complete your comments  
15          within the three-minute allotted time, you may  
16          submit them in writing through the end of the  
17          public comment on Wednesday, May 22nd, 2024.

18                 We will now hear from those of you who  
19          indicated on the sign-in sheet that you would like  
20          to make a comment. You'll be called upon in random  
21          order. Please clearly state and spell your name  
22          for the court reporter before you begin speaking.

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

24   DERRICK STANLEY:     Mr. Andrew Biggin?

25   ANDREW BIGGIN:        My name is Andrew Biggin,



1 B-I-G-G-I-N, and some of my concerns would be some  
2 environmental issues about the wildlife. We have  
3 grandkids and we're always outside seeing what's  
4 going on. I know there's wildlife in the area  
5 there. That could be a threat to their habitat.

6 Okay, the length of the mine permit was my  
7 concern. Even though there is a reclamation that's  
8 going to happen, that could be 20, 30 years,  
9 depending on how long it takes. I'm wondering if  
10 the existing mine, as areas are complete, they're  
11 going to be turned, reclaimed [sic] at that point  
12 or when the whole mine is complete.

13 Let's see. The noise and dust, of course, is  
14 always a problem. We hear the tailgates of the  
15 trucks now that are going on the site that's  
16 existing.

17 Also, the road, there's a slight dimple in the  
18 road that Horry County only filled and not really  
19 repaired. That could be an issue with trucks going  
20 back and forth constantly.

21 I also was wondering if there was going to be  
22 any kind of site safety person. There's all these  
23 regulations and rules that we're being told are  
24 going to exist. Is there somebody on site, like a  
25 safety guy, someone that has credentials?

1           I had a 30-hour class I had to take to be on a  
2           construction site and there was a safety guy on  
3           site. There's hearing protection, eye protection,  
4           different rules for a mining site, but will there  
5           be somebody there to make sure all this is being  
6           done properly? Thank you.

7   DERRICK STANLEY:     Thank you, Mr. Biggin. Betty and  
8           Billy Bryant?

9   BILL BRYANT:     My name is Billy Bryant, B-I-L-L-Y,  
10           B-R-Y-A-N-T. I live at 4985 Chow Lane. My whole-  
11           hearted concern is I run a furniture factory down  
12           there. It's adjoining where this thing's going to  
13           be put. I've got a lot, a whole lot of furniture.  
14           I can't have that dust all over the place. Now,  
15           you say you'll bring water trucks and water it  
16           down. That's been tried and that don't work.  
17           We've had so much trouble down there that it's  
18           pitiful.

19           I have a breathing problem. I got emphysema.  
20           I've got other problems with my lungs. I don't  
21           need to be breathing that dust either. The reason  
22           I'm talking about the dust is one day a dump truck  
23           came down the road real slow and it looked like a  
24           cloud of dust and it all came over to my house and  
25           my shop. I have a camper sitting out there; I

1           ain't going to wash that thing every day. So, if  
2           we get -- if y'all are putting the dust on it, I  
3           figure you can clean it for me then.

4   DERRICK STANLEY:       Thank you, Mr. Bryant. Terry and  
5           Tammy Holt?

6   TAMMY HOLT:            Hi, my name is Tammy Holt,  
7           T-A-M-M-Y, H-O-L-T. We stay at the end of  
8           Lumberjack Lane, 4986 Lumberjack Lane. My major  
9           concern is our well; I don't want that to dry up.  
10          We've got a pond; I don't want that to dry up. And  
11          the road, getting in and out of there, because we  
12          just got that thing paved; it hasn't been that  
13          long, but anyway, it's just getting in and out of  
14          there.

15                 And if we have a problem with our pump -- with  
16                 our well, not our pump but our well, you know,  
17                 Grand Strand Water & Sewer won't go up in there to  
18                 help us at all. So, we need to have water. Thank  
19                 you.

20   DERRICK STANLEY:       Thank you. Thank you, Ms. Holt.  
21           Lauren Booth?

22   LAUREN BOOTH:         My name is Lauren Booth,  
23           L-A-U-R-E-N, B-O-O-T-H. I live at 5198 Adrian  
24           Highway, and I have several concerns. The first is  
25           the hydrology changes of the area. So, with

1 mining, there can be changes to the hydrology,  
2 which all of our houses pretty much are on wells.  
3 Hydrology changes can change the veins, dry up the  
4 veins that all of our wells are drilled into and  
5 we'd have to re-drill our wells. That's already  
6 happened about 30, 40 years ago when Conway Mills  
7 drilled their well. Everybody's wells dried up in  
8 the area. Everybody had to redrill their wells  
9 deeper. So, that's one of my main concerns.

10 The other concern is the second hydrology  
11 issue. I own Booth's Christmas Tree Farm. We  
12 currently let Mother Nature do its work. We don't  
13 have to irrigate or anything like that, but with  
14 hydrology changes, it could change the waterflow in  
15 the area. We border a swamp, so I'm worried about  
16 the hydrology changes of that and we possibly  
17 having to put in irrigation for my business. Us  
18 being a small farm and only open 45 days of the  
19 year, we can't afford to do that. So, that's  
20 definitely an issue.

21 Other issues would be wildlife. We have lots  
22 of endangered species, too, that I know were not  
23 mentioned on your report. That is also a big  
24 problem for us. I think that's all.

25 DERRICK STANLEY: Thank you, Ms. Booth. Monica

1 Whalen?

2 MONICA WHALEN: Hi, my name is Monica and I'm the  
3 staff attorney with the South Carolina  
4 Environmental Law Project or SCELP for short.  
5 SCELP has a duty to examine the proposal to convert  
6 around 30 acres of undeveloped land into a large  
7 sand mining operation, roughly the size of 25  
8 football fields. We are glad that the law allows  
9 us to have the opportunity to voice our concerns  
10 about this project.

11 Tonight, SCELP is asking DHEC to deny this  
12 application or to at least impose stricter  
13 conditions. Even though mining permits are granted  
14 or denied by the State, DHEC is given the legal  
15 authority to do so by the South Carolina Mining  
16 Act. The Mining Act states that DHEC shall deny a  
17 mining permit when it will have undue adverse  
18 effects on wildlife, violate the standards of  
19 groundwater quality, or will constitute a  
20 substantial physical hazard to a neighboring house.  
21 This proposed mine seems to check all those boxes,  
22 and we should not do this project in a bubble but  
23 consider all the impacts to nearby residents as  
24 they're in between two mines and also near a  
25 growing industrial park.

1                   Notably, SCELP is concerned about the  
2                   possibility of dewatering of wells. Adrian Sand  
3                   boldly stated in their individual operating permit  
4                   application that the mining will not adversely  
5                   impact any residential water wells due to the  
6                   distance and limited groundwater drawdown. That  
7                   sounds good, but after looking through all the  
8                   documents provided by DHEC, I saw that there wasn't  
9                   any groundwater monitoring plan or any proof to  
10                  back up their claim. DHEC should at least require  
11                  a groundwater monitoring plan.

12                  Additionally, they need some sort of  
13                  contingency plan in case their wells or any other  
14                  groundwater impacts occur. Moreover, as of now,  
15                  the mine proposes to implement a property line and  
16                  wetland buffers of only 50 feet. In the past, DNR  
17                  has often recommended a 100 to 300 foot buffer  
18                  between mining activity and adjacent wetlands to  
19                  encompass and protect movement of wildlife.

20                  In 2018, in reference to their most recent  
21                  comment letters, DNR said that the state-  
22                  threatened species of the spotted turtle was  
23                  located less than one-half mile from the proposed  
24                  project area and wetlands adjacent to Maple Swamp.  
25                  DNR recommended silt fencing to protect spotted

1 turtles with a proposed buffer distance of 100 to  
2 300 feet. These are conditions that DHEC should  
3 make mandatory if they choose not to deny the  
4 application.

5 To conclude, there are greater environmental  
6 impacts associated with this project that the  
7 applicant would not admit, and we would ask you  
8 deny Adrian Sands' mining application or at least  
9 impose further conditions. Further, I wish to be  
10 notified via my email, which is Monica, M-O-N-I-C-  
11 A, @SCELP.org. Thank you.

12 DERRICK STANLEY: Thank you, Ms. Whalen.

13 COURT REPORTER: Monica, can I get your last name  
14 please? Spell your last name for the record.

15 MONICA WHALEN: Whalen, W-H-A-L-E-N.

16 COURT REPORTER: W-H-A-L-E-N?

17 MONICA WHALEN: Yes.

18 COURT REPORTER: Thank you.

19 DERRICK STANLEY: Mr. Trapper Fowler?

20 TRAPPER FOWLER: Trapper Fowler, T-R-A-P-P-E-R,  
21 F-O-W-L-E-R. I appreciate y'all hosting this  
22 meeting tonight and giving us all the time to speak  
23 and voice our concerns.

24 First off, I'm here tonight representing the  
25 Coastal Conservation League. That's who employees

1 me. As said, I am a certified wildlife biologist,  
2 but I'm also a private resident within this  
3 vicinity. I live within a half-mile of this  
4 proposed mine.

5 The spotted turtle record was actually in my  
6 yard. I reported that. I have pictures to prove  
7 that in DNR's HD database back when I was still  
8 working for them.

9 First and foremost, I just want to say that  
10 this meeting should be rescheduled. We need a  
11 re-do. We expect and respectfully request this to  
12 be rescheduled due to several reasons. First, no  
13 one from our community was consulted regarding the  
14 time, date, and location for this meeting or  
15 hearing.

16 I personally even recommended that the high  
17 school at the end of Adrian Highway, which is one  
18 mile away, be used as the location; yet, DHEC chose  
19 this, and this is 7.4 miles away. I understand  
20 there could have been some scheduling conflicts,  
21 but again you could have contacted us.

22 You also chose a date that did not allow for  
23 our state-elected officials nor our county council  
24 members to attend. It's the same night as the  
25 county council meeting, and our state officials are



1 still in session at the State House. They're  
2 actually wrapping that up. They're tied up and  
3 can't be here, because I talked the two of them  
4 this morning.

5 So, we will, of course, hear from you DHEC  
6 that most of these concerns addressed here tonight  
7 by us to you are not under your purview and rather  
8 is up to our county to enforce. Yet, you know here  
9 in Horry County, we have zero zoning to control the  
10 sites of mines, and no mining ordinance since 2018.

11 So, why are we even here? What will actually  
12 be accomplished tonight? Probably not a whole lot  
13 I'm guessing, because we need those officials to be  
14 here, those electeds to be here. They should have  
15 been contacted and we should have been contacted.  
16 Reschedule this meeting so that they can be here,  
17 and this time around, consult with us, the  
18 community, perhaps consult with a community based  
19 organization such as the Conservation League.  
20 Again, we are there to help. And last, I already  
21 said that, but consult with our legislators on the  
22 day, time, and location so that they can all be  
23 here.

24 I know you do this in other counties, so why  
25 didn't you do it for us? Just because there's not

1           250 community members like recently in Florence  
2           County, doesn't mean that we don't deserve it.  
3           We're just as important. I can assure you that the  
4           health of the people living on Dots Court  
5           sandwiched in between two large mines have  
6           something to say, and their health matters just as  
7           much as those in Charleston [sic] County, those 250  
8           people. There was elected officials there, too.  
9           I'll continue on with other concerns given that  
10          you're not likely to reschedule this meeting here.

11                   Under the mining regulations and act, mining  
12          operations shall not be located within  
13          environmentally sensitive habitats or where a  
14          threatened or endangered species are known to  
15          exist. There are records for spotted turtles, and  
16          they just happen to be state listed as threatened.  
17          They're also an at-risk species listed up here at  
18          the U.S. Fish & Wildlife Services. Wood storks,  
19          which I think is what Ms. Booth was alluding to,  
20          are also federally listed as threatened. Swallow-  
21          tailed kites are state listed as endangered.  
22          They're all in this area. I just entered in a  
23          database record for the wood storks, just because I  
24          happened to see one back on the 20th of April  
25          sitting out in my yard. So, that is entered into

1 the database now, because I didn't want to enter it  
2 without a picture. So, it's in there.

3 Why were surveys and biological assessments  
4 not done for these species, in addition to the  
5 spotted turtles. They should be, and moving  
6 forward, we would ask you to survey the mine site  
7 for these species and follow the BMPs recommended  
8 by South Carolina DNR and US Fish & Wildlife  
9 Services accordingly.

10 DHEC doesn't regulate how close mines can be  
11 to each other is what I have been told by DHEC, but  
12 perhaps this is a great example of why you should  
13 regulate it. I mean, here we have 10 homes  
14 sandwiched in between two large mines and wetlands.  
15 Do y'all as staff and as experts really not have  
16 any concern for these folks? Sink holes, loss of  
17 well water, quality of life, and health, would you  
18 want to live between two large mines?

19 DERRICK STANLEY: Mr. Fowler, you're exceeding five  
20 minutes.

21 TRAPPER FOWLER: I'm going to keep going if I could.

22 DERRICK STANLEY: NO.

23 TRAPPER FOWLER: There's only a few people here  
24 tonight.

25 DERRICK STANLEY: Can we circle back around and get

1 the comments?

2 TRAPPER FOWLER: I think that's ridiculous.

3 DERRICK STANLEY: Well, I want to limit it to five  
4 minutes. You ---

5 TRAPPER FOWLER: We sat in Florence County in their  
6 cafeteria for four hours and let way more people  
7 than 30 ---

8 DERRICK STANLEY: Let me repeat, five minutes for the  
9 group you represented, and you have exceeded it.

10 TRAPPER FOWLER: That is ridiculous, and yet another  
11 reason why we need to have this meeting again.

12 DERRICK STANLEY: Okay, thank you. Thank you for your  
13 comments. Ray Deadduccia?

14 RAY DEADDUCCIA: Ray Deadduccia, it's R-A-Y,  
15 D-E-A-D-D-U-C-C-I-A. I'm one of them houses that  
16 is sandwiched in between the two mines. I have 50  
17 feet to where I'm going to be hearing trucks, where  
18 I also have dirt and dust that's going to be flying  
19 into my backyard. I have a son who has Down's  
20 syndrome, who has a compromised respiratory system,  
21 as well as myself with asthma. I don't think  
22 you've concerned yourself about those issues at  
23 all.

24 I really feel 50 feet is not sufficient, as  
25 well as the preposterous idea of sand, spraying

1 down the sand to keep dust down. It just doesn't  
2 happen with the mine that's already existing. We  
3 constantly have sand in our house, dirt on our  
4 tables, and it's all because of the mines. That's  
5 all I have to say. Thank you.

6 DERRICK STANLEY: Thank you. Thank you, Mr.

7 Deadduccia. Do we have Jerry Wiseman? (Pause for  
8 response.)

9 UNIDENTIFIED MALE: No.

10 DERRICK STANLEY: Okay. Well, that concludes everyone  
11 who signed up to make a comment. Please raise your  
12 hand if you have not had the opportunity to speak  
13 but would like to do so now. (Pause for response.)

14 Okay, remember to state your name and spell  
15 it.

16 REBECCA SALLEY: Rebecca Salley, R-E-B-E-C-C-A,  
17 S-A-L-L-E-Y. Good evening, my name is Rebecca  
18 Salley, and my husband and I own property on Chow  
19 Lane. My mother-in-law, Brenda Helms, also owns  
20 property on Chow Lane.

21 I'm speaking tonight to oppose the expansion  
22 of the Adrian Sand mine. Aside from the noise and  
23 dust nuisance and the issues that come with that,  
24 I'm also concerned with the environmental issues.  
25 Not only will the mine impact the flora and fauna

1 of the local area, but the hydrological effects  
2 could be detrimental to the surrounding farms,  
3 waterways, and properties.

4 I find it very concerning that Horry County  
5 does not maintain local-level oversight for mining  
6 like other counties of South Carolina. Florence,  
7 Beaufort, and Charleston are all neighboring  
8 counties with more aggressive oversight. This is  
9 an issue that should matter to so many folks  
10 because of the dangers that persist with this lack  
11 of care from elected officials.

12 I'm asking that the mine expansion be stopped  
13 and for our elected officials, who are not here  
14 tonight because they can't be, to seek better  
15 regulation and ordinances to protect our wildlife,  
16 our people that you've all heard from, and our  
17 investments. Thank you.

18 DERRICK STANLEY: Yes, sir?

19 JONATHAN CATO: I'm Jonathan Cato, J-O-N-A-T-H-A-N,  
20 C-A-T-O. Everything, basically, they've said, and  
21 I'm concerned about the wildlife and other animals,  
22 and the noise. I just have to say it again: I  
23 don't think we need this. Thank you.

24 DERRICK STANLEY: Thank you. Yes, sir?

25 CRAIG KENNEDY: My name is Craig Kennedy, C-R-A-I-G,

1           K-E-N-N-E-D-Y. I'm a consultant working with  
2           Adrian Sand assisting them in getting the mine  
3           program. I just wanted to just touch on a few of  
4           the issues that have been raised. They're all  
5           valid concerns. There's concerns for dust. There  
6           are concerns for the water. These things, with any  
7           kind of industrial activity that goes on, you are  
8           going to generate those kinds of impact. But the  
9           other part of that, too, is there's ways to  
10          mitigate those. From the standpoint of dust, you  
11          know, you have water trucks that are used on  
12          construction sites, on mine sites, and can be used  
13          effectively.

14                 You have other options, too. Particularly  
15          along the haul road there next to the homes, you  
16          can have a row of sprinklers that you could have a  
17          more continuous source of water on the, on the --  
18          while the trucks are hauling. So, there's options  
19          there that could be looked at and then use the most  
20          effective practice to keep the dust down.

21                 As far as the noise, there is equipment. From  
22          a pump standpoint, you can build barriers around  
23          the pumps to mitigate the noise, to keep the noise  
24          from emanating out during the nighttime. That can  
25          be done very effectively.

1           The concern about the hydrology, the depth of  
2           the water is only going to be 30 feet. I don't  
3           think people drink water from wells that are only  
4           30 feet deep. I imagine your wells are much deeper  
5           than that and they're tapping into an aquifer much  
6           deeper. Mining this shallow aquifer is not going  
7           to impact people's wells.

8           So, if you've got a fairly good well, I mean,  
9           I wouldn't have concerns about it. In fact, I feel  
10          pretty confident we're not going to impact anyone's  
11          well. Should that occur, the client is more than  
12          willing to replace that well, if that should occur.

13          Comments have been made about concerns about  
14          the spotted turtle and the wildlife. Certainly,  
15          that's been some of DNR's comments. They've  
16          provided input to the mining program as to the type  
17          of barrier that could be put up to keep the turtles  
18          from migrating into the disturbed area during  
19          mining operations and stuff. We'll follow their  
20          recommendations as far as putting the barriers up  
21          and maintaining them to make sure the turtles are  
22          not adversely impacted.

23          Somebody mentioned a safety officer on site.  
24          Mining operations come under the Mine Safety &  
25          Health Administration. If you are under MSHA, what



1           they call it, they have to go through miner safety  
2           training, 40 hours of initial training and then a  
3           refresher once a year.

4                     So, all that comes under regulations and  
5           stuff, and they'll have to have people go through  
6           miner training, safety training. That's all I  
7           have. I just wanted to mention those options that  
8           are out there that we can look at.

9   DERRICK STANLEY:     Thank you, Mr. Kennedy. And the  
10           gentleman in the back in the aqua shirt?

11   DONNY LUTZ:        My name is D-O-N-N-Y, L-U-T-Z. I live on  
12           Chow Lane. I have contacted Adrian Sand several  
13           times since I've had notice of this. I have to say  
14           I'm not a hundred percent against this. I think  
15           I'd rather see something like this than 300 houses  
16           go up if a developer buys it.

17                     I've spoken with them several times and I  
18           appreciate the fact that you put on the record  
19           about the wells, about replacing them if something  
20           were to happen.

21                     I just wanted to say that if everything that  
22           I've talked to them about, I take it, you know, if  
23           you do approve this, I think that we at least will  
24           be able to work with these guys and hopefully come  
25           up with a reasonable solution.

1 DERRICK STANLEY: Thank you, Mr. Lutz. Did I miss  
2 anyone who ---

3 UNIDENTIFIED MALE: Should we circle back to Trapper?

4 DERRICK STANLEY: No, I'm not going to circle back.

5 This is for those who haven't had the opportunity  
6 to speak.

7 UNIDENTIFIED FEMALE: (Speaking from the audience.) I  
8 think everyone would agree for ---

9 COURT REPORTER: I'm sorry; I need a name.

10 UNIDENTIFIED FEMALE: --- him to ---

11 (REPORTER'S NOTE: UNINTELLIGIBLE CROSSTALK.)

12 COURT REPORTER: I have no idea.

13 (REPORTER'S NOTE: UNINTELLIGIBLE CROSSTALK.)

14 COURT REPORTER: I, I can't get you if I don't know  
15 your name and all. If you want to be part of the  
16 record, you'll need to have a microphone and let me  
17 know who you are and what your statement is.

18 DERRICK STANLEY: Has everyone that had a comment, had  
19 a chance to speak.

20 UNIDENTIFIED FEMALE: Trapper didn't finish.

21 DERRICK STANLEY: Did anyone have a comment that  
22 didn't speak? And those who didn't get a chance to  
23 finish, we have other ways to communicate.

24 UNIDENTIFIED FEMALE: (Unintelligible.)

25 COURT REPORTER: I really have no idea.

1 UNIDENTIFIED FEMALE: (Unintelligible.)

2 MARY DOZIER: My name is Mary Dozier. I live at  
3 5000 Adrian Highway, and my concern is about the  
4 older people like me, and the kids, and this young  
5 man here, and this lady here that have health  
6 issues that's living right in those 10 houses in  
7 that area where that mine is going. They've  
8 already got it in the backyard, and they have  
9 problems already. So, now, if it comes in their  
10 front yard, it's going to be more problems, which  
11 is going to be more health issues.

12 Think about the kids, little kids playing.  
13 What are they going to have to do? Put on masks to  
14 go out in the yard to play. At the rate that  
15 they're going, we're going to have to put on masks  
16 to clean our houses, because the dust will come.

17 On top of that, they say they're going to  
18 water it down. He even said that they'll put  
19 sprinklers. On 90, I got family members and they  
20 told them all of this, too, but they didn't do it.  
21 And they had the forum, too, but they didn't come  
22 through with it at all, and people had to leave  
23 their homes because of their health.

24 And just like Trapper said, down in Charleston  
25 County, they don't do this. They do it around

1           here. Around here, we're the poor, and when we got  
2           the meeting, like he said, he had to go put -- he  
3           was the one that went and put letters on our  
4           mailboxes, taped them to our mailboxes so we would  
5           know where to come. Otherwise, there wouldn't be a  
6           meeting. Oh, there would be a meeting, but nobody  
7           would be here.

8                        So, I just want to say we don't want it, and  
9           we are putting it out there just the way it is.  
10          This is something we had no part of and we do not  
11          want it. I'm finished. Oh, Mary Dozier, Mary  
12          Dozier, D-O-Z-I-E-R.

13   DERRICK STANLEY:     Anyone else that hasn't had a chance  
14          to speak? (Pause for response.) If not, we'll go  
15          back to Trapper. Trapper Fowler?

16   TRAPPER FOWLER:     Do I need to spell my name again?

17   COURT REPORTER:     (Indicates negatively.)

18   TRAPPER FOWLER:     All right, I appreciate that. I'd  
19          like to recommend that you have the mine applicant  
20          complete a sink hole and well survey study for  
21          these homeowners. I think that's something easy to  
22          ask. If it's not going to impact the wells, they  
23          won't find anything.

24                        Perhaps consider measuring the air quality  
25          before, during, and after mining. Require larger

1 buffers between the mine and the homes; 50 feet is  
2 nothing, and a 6-foot berm is likely to do nothing  
3 more than visually screen, which is what Mr. Ray  
4 said earlier. Screening their backyards, these  
5 folks deserve more.

6 I think it's interesting, talking about the  
7 buffers, that the phases of the mine one through  
8 five, it just so happens that four and five happen  
9 to fall last, right behind the homes. So, by that  
10 point in the mining operation, it'll be too late to  
11 work on anything, won't it, with the community?  
12 It'll be too late to voice concerns and stop the  
13 operation. So, maybe y'all ought think about re-  
14 doing that. Start right behind those houses,  
15 because that's where it's going to be the worst,  
16 and see what the concerns are and work with the  
17 homeowners.

18 The mine applicants knew good and well the  
19 materials there when they applied for a general  
20 permit. I think we can all agree on that. It's  
21 been less than one year since their permit was  
22 granted under a general permit if I'm not mistaken.  
23 So, I believe the mine applicants told some of the  
24 neighbors that they would be in and out within  
25 three years with the general permit. You haven't

1           been here a year yet, and you're expanding to an  
2           individual permit mine.

3                   Why not just start with the individual permit?  
4           Let's be fair and let's be transparent. I'm about  
5           sick and tired of seeing people use the general  
6           permit as a foot in the door. Just be transparent;  
7           that's all we're asking.

8                   Let's see what else I got. What's the end  
9           plan? This gentleman back here, I appreciate his  
10          comments. A little bit different perspective, but  
11          that's good. We need to hear everybody's  
12          perspectives, because he's a neighbor, too. He  
13          mentioned that he would rather see the mine than a  
14          developer by it. If I'm not mistaken, the mine  
15          applicant is a developer; he built the 14 houses  
16          across the street from it. So, what's the end  
17          plan? Are they going to build houses here? Let's  
18          be transparent about what we're doing; that's all  
19          we're asking.

20                   The area in pictures via the inspection report  
21          on 12/20/23 -- and I'm guessing that's just for the  
22          general permit, an inspection for that -- seemed to  
23          be void of natural undisturbed vegetation. It  
24          looks to be primarily composed of broom straw and  
25          that's it. I don't think that's enough, even in

1           those pictures, to be sufficient as a buffer for  
2           the existing wetlands. Maybe I'm getting mixed up  
3           with those pictures, but that'd be nice to know.

4           You know, I haven't been on the site, but I  
5           was also told there was no habitat for the bats  
6           because all the trees have been cleared. So, if  
7           all that's on the site is broom straw and that's  
8           the only natural buffer for 50 feet that we got,  
9           that's not very much to strain out sediment, and  
10          produce, you know, water quality, decent water  
11          quality. So, that's a concern.

12          Why not go in there and maybe use some  
13          pollinator species and some native plantings like  
14          DNR suggested? I also noticed in the reclamation  
15          plans that you're using things less conducive when  
16          you could be using these native plants. Why not go  
17          ahead and do that? Make it right. DNR suggested  
18          it; why not follow it?

19          You said you'd follow the BMPs for the spotted  
20          turtles. The answer to one of my questions is  
21          you'll follow the silt fencing BMP versus staying  
22          out of the area that's adjacent to the wetlands  
23          during those specified months. So, I appreciate  
24          you clarifying that.

25          I think this mine should be held to a 20-foot

1 max in depth. These people are concerned about  
2 their wells. I was having a conversation with some  
3 DHEC folks before the meeting, and they said  
4 there's no concerns when you have a mine that's 20  
5 to 30 feet deep, but after that you might need to  
6 do a well survey. So, if we're on the upper end of  
7 that, 30 feet, why not go ahead and do the well  
8 survey or stick to 20 feet?

9 I would also like to recommend, you know, on  
10 the active mine viewer, it's showing the King  
11 Asphalt Mine, which is on the other side of these  
12 folks on Dots court, is still active. What's the  
13 deal there? Has it been fully reclaimed? If so,  
14 why is it still listed as active?

15 I'm hearing some rumors in the neighborhood  
16 that they're still utilizing that site somehow,  
17 that there may be some illegal burying of material  
18 there. We'd like DHEC to look into that. I don't  
19 know if that's actually happening, but it'd be nice  
20 to reassure the community that it's not happening.  
21 And if it's not active, then close it down. Let  
22 them go ahead and reclaim it. At least that would  
23 be one mine away from these folks. They wouldn't  
24 be trapped in by two.

25 With all that, we ask you to deny this permit



1 as it's currently proposed. We heard a lot from  
2 their consultant about things they could do. You  
3 know, "We could put down water sprinklers. We  
4 could do this. We could do that." Then, why  
5 aren't you doing it? Why do you have to be asked  
6 to do those things? Why not just go ahead and do  
7 them initially.

8 We'd like to see you follow the BMP's that DNR  
9 suggested, not just for the spot turtles, but also  
10 for the wood stork and also for the swallow-tailed  
11 kites, and the bat species they listed.

12 We'd like you to follow the requests of the  
13 community. Work with us. We're a small community.  
14 It should be pretty easy to work with us.

15 I thank you for your time here tonight, but  
16 please know that I leave here still extremely  
17 frustrated with the DHEC mine permitting process,  
18 and extremely frustrated with the lack of community  
19 engagement on this permit in particular. I think  
20 it's a shame. This meeting should be redone with  
21 our elected officials here.

22 We shouldn't cut people off when we literally  
23 have 20 people here. That just makes no sense to  
24 me. We had 250 people in that cafeteria in  
25 Florence, and we stayed there for hours. Thank

1           you.

2       DERRICK STANLEY:     Did I cover everyone?  Is there  
3           anyone left who hasn't been heard so far?  (Pause  
4           for response.)

5           Well, since there are no attendees who would  
6           like to speak, the comment portion of tonight's  
7           public hearing is concluded.

8           On behalf of DHEC, I would like to thank  
9           everyone for coming here tonight and giving us your  
10          comments.  Please note again that written comments  
11          may be submitted to DHEC through Wednesday, May  
12          22nd, 2024.  All written comments received on or  
13          before this date will be considered in DHEC's  
14          decision-making process.  If you have questions  
15          about submitting written comments after tonight,  
16          please see a DHEC staff member.

17          DHEC's Bureau of Land & Waste Management will  
18          review and consider all comments received and may  
19          request additional information from the applicant  
20          if necessary.  A decision will then be made to  
21          approve or deny the mine permit application and  
22          mine operating permit.

23          Once a final decision is made, DHEC will  
24          provide a summary response to all comments  
25          received.  The permit decision and summary response

1 will be provided to everyone who signed in here  
2 tonight, as well as to those who submitted written  
3 comments during the public comment period.

4 The final permit decision and summary response  
5 will also be posted on our webpage.

6 You have the right to request a final review  
7 of any permit decision made by DHEC. The final  
8 review request must be submitted in writing to  
9 DHEC's Clerk of the Board, along with a filing fee  
10 in the amount of \$100, within 15 days after notice  
11 of DHEC's permit decision has been mailed.

12 Please note that the appeal process will  
13 change effective July 1st, 2024. Should the permit  
14 decision be made after this date, information on  
15 the new appeal process will be provided with the  
16 decision on our webpage.

17 You will receive notification of DHEC's permit  
18 decision by standard US mail or by email. If you  
19 wish to be notified of DHEC's final decision by  
20 certified mail instead, please make your request in  
21 writing no later than May 22nd, 2024.

22 If you have questions or if you're interested  
23 in the specific aspects of the proposed mine,  
24 please reach out to any of our staff members.  
25 We'll be happy to begin a conversation with you.

1           Finally, you should have received a survey  
2           form when you signed in. We're interested in  
3           knowing your thoughts and suggestions about what  
4           you liked or didn't like about tonight's meeting  
5           and hearing, and how we can improve the way we  
6           communicate and share information with you. Please  
7           take a moment to complete the survey and leave it  
8           on the sign-in table before you leave.

9           On behalf of DHEC, thank you again for your  
10          attendance and your comments this evening. The  
11          time is now 7:46 p.m. and this public hearing is  
12          officially adjourned.

13                   (There being nothing further, the public  
14                   hearing was adjourned at 7:46 p.m.)

15                                   (\*This transcript may contain  
16                                   quoted material. Such material  
17                                   is reproduced as read or quoted  
18                                   by the speaker.)

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