



South Carolina Mining Council, 2600 Bull Street, Columbia, SC 29201
Telephone: (803) 898-3309 Facsimile: (803) 898-3393

**December 9, 2015 - Notice of Appeal Hearing Before the Appellate
Committee of the South Carolina Mining Council**

I. Date, Time and Location of Hearing:

February 16-19, 2016; 9:00 a.m.

**Board Room (#3420) of South Carolina Department of Health and Environmental
Control 2600 Bull Street, Columbia, South Carolina 29201**

II. Members of the Appellate Committee of the South Carolina Mining Council:

Joseph Blanchard, John J. McFalls and David M. Scaturro

**III. RE: SC Mining Council Docket No. 2015-SCMC-1
Received June 25, 2015**

Petitioners: Winnsboro Area Residents – Dorothy L. Brandenburg, Community
Liaison; David and Lisa Brandenburg, Pelham Lyles, John and Mary
Johnson, Larry and Nancy Stevenson, Barbara Morris, Laura Cohen, Cliff
Richmond, Robbie Walker, Clarence Pauling, Nelson Sims

Applicant: Winnsboro Crushed Stone, LLC
Winnsboro Quarry, Fairfield County
Mining Permit I-002053

Legal Representation: W. Thomas Lavender, Jr., Nexsen Pruet Law Firm

Department: Legal Representation: Etta R. Williams Linen,

IV. Legal Authority Under Which Hearing is Being Held:

The South Carolina Mining Council (“Mining Council”) will hold a hearing on the above
referenced matter in accordance with S.C Code Section 48-20-190 and Regulation 89-
290.

V. Reference to Particular Sections and Rules Involved

1. Section 404 of the South Carolina Clean Water Act
2. Section 48-20-20 and 48-20-70
3. Regulation 89-120

VI. Short Statement Describing Specific Matters Appealed

1. Section 404 of the South Carolina Clean Water Act;
2. Lack of environmental justice for minority/low-to-moderate income level residents
3. Errors in the Evaluations of State Approved Safety Regulations
4. Failure of the Department to publish pre-mine permit data as required by Section 48-20-20 and 48-20-70
5. Use of Monitoring Wells,

A verbatim record of these proceedings will be made. Any party wishing to have a copy will need to order a copy through the Court Reporter.