



July 28, 2016

John T. Stephenson
Millvale Plantation LLC
3229 Sunset Blvd, Ste A
West Columbia SC 29169-3202

Subject: Permit to repair ELLERBEES MILLPOND DAM (D 1460) in
Sumter County; PERMIT NO. 43-0004

Dear Mr. Stephenson:

The South Carolina Department of Health and Environmental Control (Department) has reviewed your permit application to repair ELLERBEES MILLPOND DAM (D 1460), together with plans prepared by Joe Smith, P.E., of Geo-Systems Design & Testing, Inc. Your application has been approved. Enclosed is your PERMIT NO. 43-0004. This existing dam is currently classified as significant hazard (Class Two) by DHEC.

Please note the special provision in the permit that your engineer notify DHEC in writing when permitted work is complete. Once notified, the Department will schedule a post-construction inspection with your engineer. DHEC can only issue a Certificate of Completion and Operation based on satisfactory results of the post-construction inspection. You shall not impound or raise the water level in the reservoir until a certificate of completion and operation is issued by the Department.

Also, please be aware that obtaining this permit from DHEC's Dam Safety Program does not relieve you of your responsibility to obtain any other federal, state or local permits that may be required. Please see the enclosed "Guide to Board Review" for information on how to appeal the conditions of this permit.

If you have any questions regarding the contents of this letter or the enclosed permit, feel free to contact me at (803) 898-1767 or fordrj@dhec.sc.gov.

Sincerely,

A handwritten signature in black ink that reads "James Ford". The signature is written in a cursive style with a large, stylized "F" and "D".

James Ford, Hydrogeologist
Dam Safety Program, Bureau of Water
SC Dept. of Health and Environmental Control

Enclosed: (1) Guide to Board Review
(2) PERMIT NO. 43-0004

cc: Joe A. Smith, P.E., Geo Systems Design & Testing, Inc.
Keith Lane, Sumter EQC Office

PERMIT NO. 43-0004

NAME OF APPLICANT: Millvale Plantation LLC

EFFECTIVE DATE: July 28, 2016

SOUTH CAROLINA
DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

DAMS & RESERVOIRS SAFETY

PERMIT

Approval of plans and specifications for the repair, alteration, construction, or removal of dams and reservoirs is required under provisions of the "Dams and Reservoirs Safety Act" (Article 3, Chapter 11, Title 49 of the Code of Laws of S.C., 1976).

This permit constitutes approval for:

Millvale Plantation LLC
3229 Sunset Blvd
Ste A
West Columbia SC 29169-3202

to: repair ELLERBEES MILLPOND DAM (D 1460) in
Sumter County

GENERAL CONDITIONS:

1. That all activities identified and authorized herein including the approved plans and specifications shall be consistent with the terms and conditions of this permit; and that any activity performed in any manner inconsistent with the activities authorized herein shall constitute a violation of this permit, which may result in modification, suspension or revocation of this permit, in whole or in part, and the institution of such legal proceedings as the Department of Health and Environmental Control may consider appropriate.

2. That this permit may be summarily suspended, in whole or in part, upon a finding by the Department, or its authorized agents, that the work being constructed or as constructed is in variance with the herein approved plans and specifications or the terms of this permit. The Department may order, upon such finding of noncompliance, that the offending portion or portions of such structure be immediately removed or otherwise put into conformance with approved plans and specifications at the permittee's expense.

3. That this permit may be suspended or modified in whole or in part, upon a finding by the Department or its authorized agents, that such suspension or modification is deemed necessary to protect public health or safety. Any modification or suspension of this permit shall not be the basis for any claim of damages against the State of South Carolina.

4. That this permit does not convey, expressly or impliedly, any property in rights in real estate or material, nor any exclusive privileges; nor does it authorize the permittee to alienate, diminish, infringe upon or otherwise restrict the property rights of any other person or the public; nor shall this permit be interpreted as appropriating public properties for private use.

5. That the permittee shall provide the Department or its authorized agents or representatives access to make periodic inspections at any time deemed necessary in order to assure that the activity being performed is in accordance with the terms and conditions of this permit.

6. That this permit does not relieve you of your responsibility to obtain any other federal, state or local permits that may be required by law for the activity authorized herein. Issuance of this permit does not, nor shall be interpreted as to, relieve the permittee/owner of the responsibility for maintaining such structure in a safe condition throughout the life of the structure. Nothing in this permit shall be construed to relieve an owner of a dam or reservoir of the legal duties, obligations or liabilities incident to the ownership of a dam or reservoir, nor shall an action against the State of South Carolina, its agencies or employees, lie by reasons of the issuance of this permit or the terms or conditions contained herein.

7. That the permittee agrees to maintain the authorized structure in good condition in accordance with approved plans and specifications throughout the life of such structure.

8. That this impoundment or water control structure is located in Sumter County as shown on the map submitted as part of the permit application which has been made part of this permit. The Sumter EQC Regional Office serves the area where this dam is located.

SPECIAL CONDITIONS:

1. When construction is complete, the owner's engineer must notify DHEC in writing within 10 days that the dam has been properly constructed. DHEC will then schedule a post-construction inspection of the dam with the engineer. Once the post-construction inspection is satisfactorily completed, the Department will issue a Certificate of Completion and Operation. The permittee/owner shall not impound or raise the water level in the reservoir until a certificate of completion and operation is issued by the Department.

This permit shall become effective on the date of the Section Representative's Signature.



James Ford

July 28, 2016
Date

Section Representative
Dam Safety Program, Bureau of Water
SC Dept. of Health and Environmental Control

File: ELLERBEES MILLPOND DAM (D 1460)

cc: Joe A. Smith, P.E., Geo-Systems Design & Testing
Keith Lane, Sumter EQC Office