

CERT 35-09

August 28, 2009

PUBLIC NOTICE

**S. C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
COASTAL ZONE MANAGEMENT CONSISTENCY CERTIFICATION**

In accordance with the S. C. Coastal Zone Management Act of 1977, as amended, Chapter V, S. C. Coastal Zone Management Program Document and the S. C. Administrative Procedures Act, the following projects have been received for determination of consistency with the S. C. Coastal Zone Management Program. Information on the Projects is available for public inspection at the:

*Office of Ocean and Coastal Resource Management
S. C. Department of Health and Environmental Control
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405*

Comments must be received within ten days of the date of this public notice by September 7, 2009. The following projects are listed by project name or applicant, location, type of activity, type of permit, and permitting agency (see attached list of abbreviations and keys):

Beaufort County

Breakwater Utility Extension (Linear), SCDHEC# 66205/67779, TMS# R121-004-000-0954-0000, WS, SCDHEC# 66205/67780, located off of Port Republic Street, Beaufort, (SCDHEC-OCRM, SW), (SCDHEC-BOW, WS)

Charleston County

Communication Line Install-ATT 7266435 (Linear), ID# 10-09-07-13, Permit Number SCR10L465, TMS# N/A, located off of Highway 17, (SCDHEC-OCRM, SW)

224 Coleman Boulevard (Commercial), ID# 10-09-08-05, Permit Number SCR10L568, TMS# 517-16-00-067, 062, 088, & 089, WS, SCDHEC# 66164/67766, located at 224 Coleman Boulevard, Mount Pleasant, (SCDHEC-OCRM, SW), (SCDHEC-BOW, WS)

Victoria Avenue Sidewalk (Linear), ID# 10-09-08-07, Permit Number SCR10L584, TMS# N/A, located off of Victoria and North Park Place, near Park Circle, North Charleston, (SCDHEC-OCRM, SW)

Starks Industrial Park Water Main Replacement (Linear), SCDHEC# 65905/67689, TMS# N/A, WS, SCDHEC# 65905/67699, located off of Starks Industrial Park, North Charleston, (SCDHEC-OCRM, SW), (SCDHEC-BOW)

Georgetown County

Highwood GME (Linear), ID# 22-09-08-01, Permit Number SCR10L579, TMS# N/A, located off of Highwood Circle at Prince Creek Parkway, (SCDHEC-OCRM, SW)

Horry County

Napa Auto (Commercial), ID# 26-09-08-02, Permit Number SCR10L573, TMS# 130-19-01-038, located on the corner of Sea Mountain Highway and Strand Industrial Drive, (SCDHEC-OCRM, SW)
Mike's Road Drainage Improvements (Other/ County Drainage Improvement), SCDHEC# 67751, TMS# 138-00-03-014, & 107, located at the end of Mike's Road, approximately 0.1 miles south of intersection with Lee's Landing Road, (SCDHEC-OCRM SW) **Note: This project is proposed to impact .03 acres of federally non-jurisdictional wetlands. These proposed impacts require approval under the SCCZM program. This plan will excavate .009 acres of a .03-acre federally non-jurisdictional wetland and .02 acres of a .05-acre federally non-jurisdictional wetland for a total of .03 acres of impact to federally non-jurisdictional wetlands.**

Poplar Drive Sidewalk (Linear), SCDHEC# 67769, TMS# N/A, located off of Poplar Drive South (DOT# 1273) between 5th Avenue South and 10th Avenue South, (SCDHEC-OCRM, SW)
11th Avenue South Pump Station (Other/Pump Station), SCDHEC# 66224/67789, TMS# N/A, WW, SCDHEC# 66224/67784, located off of 11th Avenue South, Myrtle Beach, (SCDHEC-OCRM, SW), (SCDHEC-BOW, WW)

Jasper County

Red Oaks Plaza, Phase 3 (Commercial), ID# 27-02-03-02E, Permit Number SCR10K658, TMS# 080-00-03-065, located off of Red Oaks Lane, Hardeeville, (SCDHEC-OCRM, SW), (Permit Termination)
NPDES Bureau of Water Public Notice Link
<http://www.scdhec.net/environment/water/publicnote/html/eqpnwater.asp?SortBy=title&PFilter=npdes>

PUBLIC NOTICE
SC Department of Health and Environmental Control
Bureau of Water/Office of Office of Ocean and Coastal Resource Management

2600 Bull Street
Columbia, South Carolina 29201

1362 McMillan Avenue
Charleston, SC 29405

Date: August 28, 2009

NOTICE OF INTENT TO TERMINATE COVERAGE UNDER SCR10K658
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT

The Department of Health and Environmental Control intends to terminate the permit coverage granted under the NPDES General Permit for Stormwater Discharges from Large and Small Construction Activities SCR100000 for Red Oaks Plaza Phase 3 issued March 27, 2009 (SCR10K658) to discharge construction stormwater discharges into waters of the State of South Carolina. Pursuant to 24 S.C. Code Ann Regs. 61-9.122.64(a)(2), the Department is authorized to terminate permit coverage based upon the permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts, or the permittee's misrepresentation of any relevant facts at any time.

APPLICANT: DTG HOLDINGS, FACILITY NAME: RED OAKS PLAZA PHASE 3 (BEAUFORT EQC/OCRM OFFICE), NPDES permit #SCR10K658, P.O. BOX 21299, HILTON HEAD, SC 29925. The facility is located at RED OAKS LANE OFF HIGHWAY 170, HARDEEVILLE, SC, JASPER COUNTY. The coverage is being terminated for the construction of a commercial business park. A fact sheet is available.

Persons wishing to comment on or object to termination of permit coverage or to the conditions are invited to submit same in writing within thirty (30) days of the date of this notice to the attention of: Ms. Shannon Hicks; SC DHEC; Office of Ocean and Coastal Resource Management; 1362 McMillan Avenue, Suite 400, Charleston, South Carolina 29405; Telephone: 843-953-0200. The permit number should be placed at the top of the first page of comments. When there is a significant degree of public interest in a permit or group of permits, the Department may hold a public hearing. A request for public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing. SC DHEC is not involved in zoning, land use, or property value issues. Please contact your local County or Municipal officials for questions or concerns on these issues.

All comments received within the 30-day period will be considered in the formulation of final determinations regarding the notice of intent to terminate. A notice of intent to terminate is a type of draft permit. All persons submitting written comments will be notified of the final determinations. Requests for adjudicatory hearings may be filed after the above described determinations have been made. Additional information regarding adjudicatory hearings is available from the Legal Office at the above Department address or by calling 843-953-0200.

Additional information on proposed permit determinations and on hearing procedures is available by writing or calling the Department at the above address or telephone number. Copies of a specific application or draft permit of interest to an individual, organization, or company must be requested in writing. A fee schedule has been established for processing these requests: Reproduction of documents - \$0.25 per page. Requests must be mailed to the above address; or requests may be faxed to the Office of Ocean and Coastal Resource Management at 843-953-0201. Arrangements can be made to review all the permit information at the Office of Ocean and Coastal Resource Management's Charleston office.

Please bring the foregoing to the attention of persons you know will be interested in this matter.

AGENCIES ABBREVIATIONS

BCDCOG	Berkeley, Charleston, Dorchester Council of Governments
BCWSA	Berkeley County Water and Sanitation Authority
EQC	Environmental Quality Control (SCDHEC)
DCWSC	Dorchester County Water and Sewer Commission
GCWSD	Georgetown County Water and Sewer District
GSWSA	Grand Strand WSA
LCG	Lowcountry Council of Governments
OCRM	Ocean and Coastal Resource Management
BCB	Budget and Control Board
FBPWD	Folly Beach Public Works Department
GCPW	Goose Creek Public Works
SCDHEC	S. C. Department of Health and Environmental Control
SCDHEC-BOW	S. C. Department of Health and Environmental Control-Bureau of Water
SCDHEC-OCRM	S. C. Department of Health and Environmental Control-Ocean and Coastal Resource Management
SCDNR	S. C. Department of Natural Resources
SCDOT	S. C. Department of Transportation
SCGO	S. C. Governor's Office
SCPSA	S. C. Public Service Authority
SCPW	Summerville CPW
USAF	U. S. Air Force
USACOE	U. S. Army Corps of Engineers
USDA	U. S. Department of Agriculture
USDE	U. S. Department of Energy
USDHUD	U. S. Department of Housing and Urban Development
USDOT	U. S. Department of Transportation
USFHA	U. S. Farmers Home Administration
USFWS	U. S. Fish and Wildlife Service
USFS	U. S. Forest Service
USICC	U. S. Interstate Commerce Commission
USMC	U. S. Marine Corps
USN	U. S. Navy
WCOG	Waccamaw COG
MPWWSC	Mount Pleasant Water Works and Sewer Commission
MCCPW	Moncks Corner CPW

PERMITS AND OTHER ABBREVIATIONS

404	placement of dredged or fill material in wetlands
AIWW	Atlantic Intracoastal Waterway
AMP	archaeological master plan
AQ	air quality
COG	council of governments
CPW	commissioners of public works
DMP	dock master plan
FA	funding assistance
FC	federal consistency
GR	misc. grant review
LF	landfill
ND	no discharge
NWP	nation wide permit
OTHER	misc. permit, grant, or plan
PER	preliminary engineering report
S/D	subdivision
SCNW	South Carolina Navigable Waters
SW	stormwater
UST	underground storage tank
WMP	wetland master plan
WS	water supply
WSA	water and sewer authority
WW	wastewater
WTP	wastewater treatment plant

SPECIAL NOTES

*DMPs Dock Master Plans - OCRM is reviewing the listed DMPs for planning purposes only. Permitting decisions will occur when future dock applications are processed by OCRM for individual property owners. This document is used as a planning tool it is not subject to the appeal. OCRM welcomes comments from the public on these planning documents.

**WMPs Wetland Master Plans – OCRM is reviewing the listed WMPs for planning purposes only. Permitting decisions will occur when future applications are processed by OCRM, which include impacts to freshwater wetlands. This document is used as a planning tool; it is not subject to appeal. OCRM welcomes comments from the public on these planning documents.

***SWMPs Stormwater Master Plans – OCRM is reviewing the listed SWMPs for planning purposes only. Permitting decisions will occur when future applications are processed by OCRM. OCRM welcomes comments from the public on these planning documents.

****PERs Preliminary Engineering Reports – OCRM is reviewing the lists PERs for the purpose of commenting to other sections of DHEC concerning this document. OCRM will not be issuing a coastal zone consistency certification at this time but providing comments. If this proposal moves forward to the permitting process, OCRM would at that time do a full coastal zone consistency review.