



Mining Form MR-400

S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
BUREAU OF LAND AND WASTE MANAGEMENT
DIVISION OF MINING AND SOLID WASTE PERMITTING
2600 BULL STREET, COLUMBIA, SC 29201
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SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
BUREAU OF LAND AND WASTE MANAGEMENT
DIVISION OF MINING AND SOLID WASTE PERMITTING
2600 Bull Street
Columbia, SC 29201

APPLICATION FOR A MINE OPERATING PERMIT
FORM MR-400 DATE VERSION ADOPTED 7/1/94

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"The South Carolina Mining Act," Sections 48-20-10 through 48-20-310, Code of Laws of South Carolina, 1976, as amended provides in part: "No operator may engage in mining without having first obtained from the Department an operating permit which covers the affected land and which has not been terminated, been revoked, suspended for the period in question, or otherwise become invalidated." (Section 48-20-60)

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I.APPLICANT INFORMATION

1. Name of Company: Soilutions, LLC

Check form of business entity: Corporation Partnership Limited Partnership Sole Proprietorship

2. Name of Proposed Mine Edge Road County Horry

3. Home Office Address 255 Welcome Drive 803-968-1637
(Street and P.O. Box) (Telephone No.)

Myrtle Beach SC 29573 None
(City) (State) (Zip Code) (Fax. No.)

4. Local Office Address: None (Telephone No.)
(Street and P.O. Box)

(City) (State) (Zip Code) (Fax. No.)

5. Designate to which office Official Mail is to be sent:

Home Office x Local Office

6. Name of company personnel and their title to be the contact for official business and

correspondence: Ethan Epps, Member

7.Location of Mine: Edge Road Myrtle Beach
State or County Hwy No. Nearest Town or City

8. Locate accurately on a county map, USGS 7.5' Topographic Map, or draw a detailed map to scale of: (1) how to get to your local office and (2) how to get to the mine and attach to this application.

**9. If land is leased, complete the following:**

**A. Name of landowner:** \_\_\_\_\_

**Landowner's Address:** \_\_\_\_\_

**Street and PO Box**

**City**

**State**

**Zip Code**

**Telephone Number**

**B. Date lease became effective** \_\_\_\_\_

**Date of lease termination** \_\_\_\_\_

**Name of lessee** \_\_\_\_\_.

**II. GENERAL CHARACTERISTICS OF MINE:**

1. Material(s) to be mined Sand/Clay

**2. Mining Method:**

**A. List equipment to be used for mining and provide a brief description as to how the mine will be operated.**

Topsoil needed for reclamation will be temporarily stored in small stockpiles and or berms along the outside perimeter of the pit or directly moved to final placement for reclamation. Active portions of the pit will be dewatered with "rim ditches" and sump(s). The collected groundwater and stormwater will be held in the mine sump and pumped to basin to be discharged through NPDES outfall. Equipment to be used in the mining process will be the typical track hoe and end loader.

See attached mine plan for the Edge Road Mine for additional information.

**B. Will there be a process plant located at the mine site within the boundary of the permitted area? If so, please provide a brief description of the plant equipment and function of the plant.**

No

**3. Do you anticipate blasting as part of the mining operation? \_\_\_Yes \_\_\_x\_\_\_No** If yes, provide the distance to the nearest inhabited structure not owned or leased by the applicant. Also, provide as an attachment to this application the names and addresses of all the owners of all structures within one-half mile from the nearest point of blasting during the life of the proposed mine. How will flyrock be prevented from being projected from the permitted area?

**4. Has this site been mined in the past? If so, please indicate the present condition of the land.**

Mining was conducted under General Mine Operating Permit GP1-002336.

**5. What is the expected maximum depth of this mine? Provide any addition information about the final depth of the mine that would be useful to the Department. (Ex. Final depth of pit will be level to adjacent road, elevation above Mean Sea Level (MSL)).**

50 feet

**III. DETERMINATION OF PERMITTED ACREAGE, AFFECTED ACREAGE AND RECLAMATION BOND**

**1) Total acres for which permit is being requested:**

33.0 Permitted acres owned by the operator

0.0 Permitted acres leased by the operator

**Note: Permitted acreage should include the following: 1) acres of land to be affected (excavation, processing plant, stockpiles, etc.); 2) future area(s) to be mined and 3) land to be used for buffer zones around the affected land. The permitted area should be the property described in the LAND ENTRY AGREEMENT(S) (FORMS MR-600 OR MR-700).**

**2. Total affected acreage:**

Acres

**A) Area used for sediment control ponds**

0.0

Initial mining will excavate the sediment control pond. The 6.7 acres is included in the total pit area of 23.2 acres in section G) below.

**B) Area used for stockpiles of unprocessed minerals**

0.0

Temporary stockpiles, if any, will be located within the pit and included in the Pit acreage in item G. below.

**C) Area used for spoil (overburden) banks, topsoil and disposal refuse (exclusive of tailings impoundments)**

0.0

Overburden will be backfilled into the pit.

**D) Areas used for on-site processing facilities and stockpiles of processed minerals**

0.0

There are no on-site processing facilities.

**E) Areas used for tailings pond (waste material from mineral processing)**

0.0

A process plant will not be a part of the mining operation. No tailings will be generated.

**F) Area for access or haul roads**

0.9

Vehicles accessing the mine permit area from Edge Road will use an existing private road.

**G) Area for excavation during the period of this permit**

23.2

**OR**

If mining and reclamation are to be done in segments, state the size of each segment (acres) \_\_\_\_\_. Multiply the size of the segments by 3 and enter the resulting number. ----->

NA

**H) TOTAL OF 2A THROUGH 2G**

24.1

**3. Check acreage to be bonded: total affected acreage calculated from Section 2.**

       0.00 - 9.99 acres (bond amount - \$10,000)

       10.00 – 14.99 acres (bond amount - \$15,000)

  x   15.00 – 24.99 acres (bond amount - \$25,000)

       25.00 +     acres (bond amount - \$25,000 or greater)

**Applicant may submit a reclamation cost estimate for mines that will affect greater than 25 acres. Estimate should be based upon requirements in Regulation 89-20 B.**

Affected Acres 24.1 ; Buffer Acres 8.9 ; Future Reserves 0.0 ; Permit Acres 33.0

**4. Will this operation be covered by a blanket bond? If so, please list your company's other permitted mining operations in South Carolina giving mine names, permit numbers and state the present reclamation bond amount on file with this Department.**

No

**5. Number of years for which this permit is requested. The requested number of years the permit is requested should coincide with the Schedule of Reclamation as proposed by the applicant in the RECLAMATION PLAN, Form MR-500.**

Life of Mine years

#### IV. PROTECTION OF NATURAL RESOURCES\*

**1. Will there be a waste water treatment system at your mine site? \_\_\_\_\_ Yes  No**

**2. Will there be a point source discharge from your plant or mine requiring an NPDES Permit? If no, provide information as to how stormwater and groundwater will be managed.  Yes \_\_\_\_\_ No**

All groundwater and stormwater discharges will be routed into the pit. The mine has the ability to discharge groundwater and stormwater through an outfall under coverage of *NPDES General Permit for Discharges Associated with Nonmetallic Mineral Mining Facilities (SCG731593)*. This NPDES permit coverage was previously approved for the General Mine Operating Permit GP1-002336 and will be updated with the mine expansion.

**3. Will there be air contaminant emissions from your plant or mine requiring an Air Quality Permit? \_\_\_\_\_ Yes  No**

A processing plant will not be a part of the mining operation. An Air Construction Permit is not required.

**4. Do you anticipate pumping of groundwater? If yes, describe.  Yes \_\_\_\_\_ No**

Groundwater table is approximately 5 feet below ground surface. The active pit will be dewatered with a series of rim ditches routing groundwater and stormwater to central sump for that mine segment. The water collected in the sump will be pumped to previous mined segments. As water will be held within previous mined segments, the water will infiltrate into the ground and will limit the need to discharge water to Waters of the State.

**5. Will jurisdictional wetlands be affected, filled or altered in any fashion that will require a Section 404 Dredge and Fill Permit? \_\_\_\_\_ Yes  No**

All Corps jurisdictional wetlands and isolated wetlands will be avoided and protected with a 50-foot upland buffer. Attached to this application the Army Corps of Engineers letter concurring with the wetland delineation, (SAC-2021-00961).

**6. Are there any known cultural or historic sites located within the proposed area to be permitted? \_\_\_\_\_ Yes  No**

A cultural resources reconnaissance survey conducted by Terracon Consultants; Inc. determined no historic resources will be adversely affected. Terracon's report is being submitted with this application.

**7. Will any part of the permitted area be used as a solid waste disposal site? If no, describe how waste, trash, scrap metal material, garbage will be handled. \_\_\_\_\_ Yes  No**

Any solid waste generated at the site will be removed from the site and properly disposed of at a permitted solid waste facility.

**8. Describe the wildlife or freshwater, estuarine or marine fisheries in the area of the mining operation. Also provide information about any ponds and/or streams that may be located in the proposed permitted area.**

The mine permit area does not contain any open ponds. Two freshwater wetland areas were delineated by the Brigman Company totaling 2.26 acres. Letter from the Army Corps of Engineers, SAC-2021-00961, verifying the wetlands delineation is attached.

Concerns were previously expressed about potential impacts on spotted turtle, southern hognose snake and Carolina pygmy sunfish habitats. Based upon a habitat assessment by a Mr. Bill Mullin, Wetland and Wildlife Biologist, with Dr. J.H. Carter III & Associates, Inc., these species were not observed. While the site visit during the assessment was not an exhaustive visual survey, efforts were made to assess if there are suitable observation points from which to perform a spotted turtle visual survey. The wetlands on site were determined to not have significant observation points due to the dense vegetation. The site is not considered an environmentally sensitive habitat.

The mine is adjacent to Lewis Ocean Bay Heritage Preserve (LOB). Report from Dr. J.H. Carter III & Associates, Inc. observe flyover of the mine property by red-cockaded woodpecker(s) (RCW) while conducting a field investigation. Their July 16, 2021 report to Mr. Josh Epps noted that the LOB contained RCW cavity trees, but no cavity trees were observed on the mine property.

Attached to the application is the July 16, 2021 report from Bill Mullin, Wetland and Wildlife Biologist, with Dr. J.H. Carter III & Associates, Inc. and his follow up August 17, 2021 letter to Mr. Josh Epps to address additional comments expressed by SC Department of Natural Resources.

**9. State the land cover and land uses on the permitted land area and contiguous tracts of land to the permitted land area.**

Current land cover for permit area are composed mostly of pond pine woodlands and uplands were mostly Xeric Sandhill Scrub. (*July 16, 2021 letter communication from William Mullin, wetland and wildlife biologist, to Joshua Epps.*)

Adjacent to the site along the southern and eastern borders of the project area is the Lewis Ocean Bay Heritage Preserve. Along the western boundary are woodlands. North is agricultural fields with limited rural residences.

**10. Describe measures to be taken to insure against (1) substantial deposits of sediment in neighboring streams, rivers lakes or ponds; (2) landslides; (3) acid water formation and discharge. Attach any supporting documents (engineering designs, calculations, sediment & erosion control plan, setbacks, geotechnical information, acid prediction test etc.) to this application.**

(1) The primary sediment control measures will be first to limit the area of disturbance to only what is necessary to conduct safe mining operations. Second – The primary measure will be to route the great majority of stormwater from mine disturbed land into the pit. Silt fence, undisturbed buffer and revegetation also will be used to control erosion and sediment runoff as necessary. Initial mining will excavate the 6.7-acre sediment basin in segment 1. Groundwater and stormwater pumped from the active pit will be routed through previously mined segments. This will minimize the potential for pit water discharge into waters of the state. If water must be discharged, it will be discharged through the NPDES outfall.

(2) Limited depth of mining minimizes potential for landslides. As mining approaches final pit wall locations, the mine wall will be graded to 3:1 slope in the upper 10 feet of the highwall. Below the anticipated pond level, the mine walls will be at a 2:1 slope for final reclamation.

(3) Not applicable to this geology

## **V. SAFETY**

**1. Describe methods to be used during the time the mine operating permit is active to prevent physical hazards to persons and to any neighboring dwelling, house, school, church, hospital, commercial or industrial building or public road. If applicable, provide the zoning designation for the property to be permitted.**

Site is in an isolated area. Nearest house is 800 feet distant from the property line of the mine site.

**2. Describe methods to be used to prevent an adverse effect on the purposes of a publicly- owned park, publicly-owned forest, or publicly-owned recreation area. If any of these facilities are within one (1) mile of the proposed affected property, please locate on mine location map and the submitted U.S.G.S topographic map for this application.**

The Lewis Ocean Bay Heritage Preservation area is adjacent to the mine site.

**3. Describe measures to be taken for screening the operation from view from public highways, public parks or residential areas.**

The mine site is surrounded by undeveloped land. The nearest public road is Edge Road that is approximately 800 feet distant. Existing vegetation to remain in buffer and wetlands will visually screen the mine.

## **VI. MINE MAP**

- 1. Provide the U.S.G.S. topographic map(s) that contains the proposed mine site. The proposed permitted area should be outlined on this submitted topographic map.**
  
- 2. Attach two (2) copies of a map of the site (referred to as the MINE MAP) that shows the following:**
  - A. Outline of the area to be affected by mining during the number of years for which the permit is requested. See Section III, Question 1 on page 3 of this application form.**
  
  - B. Outline of the permitted area that shows the buffers zones, future mine areas and areas to be affected by mining.**
  
  - C. Outline of the planned pits or excavations for which your company has detailed plans. If your company has reason to believe that additional land may be mined in the future within the permitted area but is not feasible to show as planned excavations; indicate these areas as FUTURE RESERVES on this site map.**
  
  - D. Outline of areas for the storage of naturally occurring soil that will be suitable for the establishment of vegetation in final reclamation.**
  
  - E. Outline of planned areas for disposal of refuse, exclusive of tailings ponds.**
  
  - F. Outline of planned spoil, overburden or other similar waste material disposal areas.**
  
  - G. Locations of planned access and haul roads on the area to be affected.**
  
  - H. Outline of planned tailings ponds.**
  
  - I. Locations of sediment control pond(s) and other sediment control structures within the affected area. Outline of areas on which temporary or permanent vegetation will be established to control erosion during the mine operation.**
  
  - J. Location and name (if appropriate) of streams, lakes, wetlands and existing drainage ditches within the area to be permitted. Use arrows to indicate direction of water flow in such streams and drainage ditches.**
  
  - K. Boundary for the 100 year floodplain, where appropriate.**
  
  - L. Outline of areas for stockpiles of unprocessed minerals.**
  
  - M. Outline of area of previously mined land that will not be affected.**
  
  - N. Outline of the area to be occupied by processing facilities including stockpiles of processed minerals if such facilities are to be an integral on-site part of the mining operation.**
  
  - O. Show location of the two permanent survey control points.**
  
  - P. A legend showing the name of applicant, name of the proposed mine, north arrow, county, scale, date of preparation and name and title of person who prepared the site map.**

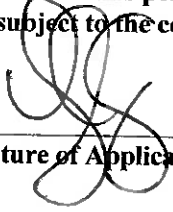
**THE REQUIRED SITE MAP SHALL HAVE A NEAT, LEGIBLE APPEARANCE AND BE OF SUFFICIENT SCALE TO CLEARLY SHOW THE REQUIRED INFORMATION LISTED ABOVE. THE BASE FOR THE MAP SHALL BE EITHER A SPECIALLY PREPARED LINE DRAWING, AERIAL PHOTOGRAPH, ENLARGED USGS TOPOGRAPHIC MAP OR A RECENTLY PREPARED PLAT.**

3. Provide the most recent county tax map that shows all contiguous land owners of the permitted mine site. Provide name and addresses of all land owners contiguous to the proposed permitted mine site.

4. Provide letter from an attorney attesting to (1) the ownership of the property, (2) ownership of the mineral rights and (3) that the applicant has the legal right to mine the proposed mineral resource on the property as described in this application.

We hereby certify that all information and details contained hereinabove, within any supporting documents and on the map are true and correct to the best of our knowledge. We fully understand that any willful misrepresentation of facts will be cause for permit revocation.

The applicant acknowledges that Section 48-20-130, Code of Laws of South Carolina, provides in part: "Upon receipt of the operator's annual report or report of completion of reclamation and at any other reasonable time the department may elect, the department shall inspect the permit area to determine if the operator has complied with the reclamation plan, the requirements of this chapter, regulations promulgated by its authority, and the terms and conditions of this permit. Accredited representatives of the department at all reasonable times may enter upon the land subject to the certificate of exploration or operating permit for the purpose of making the inspection."



Signature of Applicant/Operator or his Authorized Representative

JOSHUA K. EPS S MEMBER & MANAGER

Printed Name of Applicant/Operator or his Authorized Representative

MEMBER & MANAGER

Title

1/12/2022

Date

Department Use Only

Application No. \_\_\_\_\_ Date Application Approved \_\_\_\_\_ Date Bond Rec'd \_\_\_\_\_

Bond Amount \_\_\_\_\_ Blanket or Single Bond \_\_\_\_\_ Permit Issuance Date \_\_\_\_\_

ACTION TAKEN ON THIS APPLICATION

\_\_\_\_\_ Approved \_\_\_\_\_ Denied \_\_\_\_\_ Approve with additional Terms and Conditions

By: \_\_\_\_\_ SECTION MANAGER

Date: \_\_\_\_\_