

External Mining Stakeholder Notes

12/5/2022

Penalties & Fines

- Increase operating fees/fines to bring into mining division
 - (Vary based on the size of mine?)
- Discussed frequencies of penalties and fines
 - Penalties go to state general fund and county where incident occurred. Half of the total go to the state general fund and half go to the county. None go directly to the Mining Program.
 - DHEC will investigate getting the enforcement matrix for mining fines.

Buffers

- Buffer possible definition inclusion – areas that will remain undisturbed.
- Setbacks possible definition inclusion – distance from excavation to “other things”
- Define “undisturbed” and “neighboring”
- Mine Buffers Proposals
 - **50 feet** for a “Rule of Thumb” for general disturbance
 - Exceptions of endangered species
- NGO Buffer Proposals
 - **100 feet** buffer of wetlands and pocket wetlands
 - Wetlands dependent on slope (**>50 feet**)

Setbacks

- Mine Setback proposals
 - **200 feet** for schools, hospitals, nursing homes, day cares, and churches
 - Require visual barrier and safety barrier (can be the same thing)
 - Potential berm/fence/both
 - **200 feet** from a building that somebody constantly occupies (subject to adjacent)
- NGO Setback Proposals
 - **1 mile** for schools, hospitals, nursing homes, day cares, and churches
 - Greenspace needs to be defined
 - Wildlife areas where people hunt and play
 - Federally owned spaces
- Concerns for buffers
 - Park/playground looking to be defined
 - Busy roads
 - Church foundations
 - Excavations to property lines/schools
- DHEC Buffers distributed (after NGO & Mine given)
 - Request to define ambiguous terms (undue adverse effects, substantial, etc.)
- York County’s current setback is **100-125 feet**

Blasting and Zoning

- Blasting
 - 5 new sites ranged from 1,000 ft to ½ Mile for blasting in SC
 - 2 “Fly Rock” incidents in past 20 years
- Zoning
 - Counties are most significant in zoning (control truck patterns etc.)

Changes & Requests

- Regulation/Statute Change
 - Public Notice modernization for newspaper
 - Define Public Notice/Public Hearing, and community education
 - More enforcement authority for DHEC?
 - Buffer & Setback change
 - Regulatory
- REQUESTS
 - 1 or 2 more meetings.
 - DHEC will work on rough draft regulation and distribute within 1 or 2 weeks before next meeting to discuss.
 - Discuss clarifying reasons to deny a permit