



October 19, 2016

Kevin Nichols
333 Plantation Dr
Greenwood, SC 29649

RE: Notice of Cost Recovery
Upper North Lake Dam, Dam ID # D 4361
Greenwood

Dear Mr. Nichols:

On October 15, 2015, the Department issued an Emergency Order requiring you as owner of the above-referenced dam to take remedial measures, at your expense, to prevent damage to life and property due to the condition of your dam during the October 2015 flood event. On November 6, 2015, a Notice of Violation was sent to you for failure to comply with the Emergency Order. Furthermore, from January 2016 through August 18, 2016 the Department sent additional correspondence regarding this matter.

The Dams and Reservoirs Safety Act, S.C. Code of Laws, Section 49-11-190 (D) provides that, when the owner fails to comply with the Emergency Order, the Department or its authorized agents may enter and immediately take actions necessary to protect life or property, including removal of the dam. Furthermore, the Department may recover from the owner, in the name of the State, expenses incurred in taking the action. The Department, through its contractors, performed the remedial measures and now requires reimbursement.

The enclosed invoice lists the cost incurred by the Department to date. There may be additional costs in the future, for which you may be sent additional invoices. You are required to pay the amount listed on the invoice within thirty (30) days of the date of this notice. If you do not believe you have the financial means to pay the invoice amount, please complete the enclosed "Inability to Pay" forms and provide copies of your last three (3) years of tax returns for the Department's review and determination. Also, please provide any information concerning potential insurance coverage, including a description of any communication you have had with your insurance carrier regarding this matter.

Failure to respond to this letter may result in the Department pursuing cost recovery through legal action. If you have questions concerning this notice, please contact Dale Stoudemire at 803-898-4209.

Please mail payment or submit "Inability to Pay" documentation to:

Dale Stoudemire, Manager
Data and Records Management Section
Water Pollution Control Division
SCDHEC Bureau of Water
2600 Bull St
Columbia, SC 29201

Sincerely,



Dale Stoudemire, Manager
Data Records Management Section
Water Pollution Control Division

Enclosures:

1. DHEC Invoice # PC 19251-8
2. "Inability to Pay Form"
3. Invoices from DHEC contractors



South Carolina Department of Health
and Environmental Control

Bureau of Financial Management / Sims/Aycock Building
2600 Bull St, Columbia, South Carolina 29201

Invoice No.

PC19251-8

Invoice To:

OWNERS OF UPPER NORTH LAKE DAM

D 4361 UPPER NORTH LAKE DAM

Ship To:

S.C. DHEC
Attention: Bureau of Financial Management
2600 Bull Street
Columbia, South Carolina 29201

Date:
10/19/2016

Terms:
DUE UPON RECEIPT

Department Name
EQC Mgt.

Order Filled By:
BAKERWB

Description of Services: MOBILIZED TO PUMP AND SIPHON. SIPHONING WAS TAKEN OVER BY OWNER PRIOR TO SIPHON CONSTRUCTION. OWNER HAS NOT MADE PROGRESS IN REPAIRING THE DAM SO THE STATE IS CURRENTLY ENGINEERING THE BREACH DESIGN. SURVEY AND WETLANDS

Qty	Unit Description	Loc	Organ.	Fund	Account	Analytical	Unit Price	Amount
1	EACH	700	309030	534030	4720101	0000000	\$9,161.12	\$9,161.12
Total:								\$9,161.12

Note: Make checks payable to South Carolina Department of Health and Environmental Control, remit to above address to the
Attention of: Bureau of Financial Management