

Governor Haley, lets clean up the Palmetto State, please do not hesitate to contact me if I may be of assistance on this.

Respectfully,

*[Faint signature]*



*[Faint text]*

864-420-9338 cell  
864-902-0445 home

**From:** < >  
**Date:** February 23, 2015 at 9:31:06 AM EST  
**To:** < >  
**Subject:** Thank you for contacting the office of Governor Haley

Dear Mr. Penn,

Thank you for your correspondence about state litter control programs and pollution control enforcement. I know that South Carolina's natural resources are valuable and perishable assets that support our livelihoods and our dominant industries – agriculture, forestry, and tourism.

Currently, state law makes littering and dumping solid waste on private property a criminal offense. Further, the Litter Control Act of 1978 authorizes the Department of Health and Environmental Control to administer programs and conduct enforcement activities aimed at reducing littering and illegal dumping on public and private land.

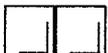
South Carolina has over a half-dozen state agencies focused on natural resources, the environment, and conservation. I agree that we can help eliminate the blight of littering by better enforcing our current law.

Thank you again for your interest; please do not hesitate to contact me if I may be of assistance on this or any other issue. God bless.

My very best,

Nikki R. Haley

NRH/ahp



James Penn

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**From:** James Penn <james@pennderosa.com>  
**Sent:** Monday, February 23, 2015 10:49 PM  
**To:** 'governor.haley@sc.lmhostediq.com'  
**Subject:** FW: Thank you for contacting the office of Governor Haley  
**Attachments:** Litter Control

Dear Governor Haley,

I certainly appreciate you responding to my comment although I am confused about your notation on DHEC. As mentioned, I have been petitioning for guidance and support for some time on our litter control issue and contacted DHEC in February of last year with the following ...

Reviewing the litter control in the State I found Title 44 which established the "Litter Control Act of 1978" for the purpose of litter control throughout the State by "delegating to the Department of Health and Environmental Control the authority to conduct a continuous program to control, prevent and eliminate open dumps and litter from the State to the maximum practical extent." In this examination I learned there was an appropriation under SECTION 44-67-130 from the general fund of the State for the establishment of the "Litter Control Account". Also, under SECTION 44-67-50 "Enforcement" and SECTION 44-67-110 "Litter Control Officers" allows for the hiring, training and equipping of individuals who shall be designated Litter Control Officers.

My question is two parts, first, in reviewing the FY 2014-2015 Executive Budget I can find no line item that funds the "Litter Control Account" is this because there is no funding for this item or is it incorporated within another line item? If funding falls under another line item where can this be found and what is the budgeted amount. Secondly, does the Department of Health and Environmental Control have "Litter Control Officers" on staff, as outlined under the code of law sections above, that have the powers to enforce and administer all rules and regulations including patrolling and monitoring the public highways, issue citations for violations and institute and prosecute actions for violations? If DHEC has Litter Control Officers or a Department Head what is their contact information.

In advance appreciation of your timely response, ...

Attached is the response I received back from DHEC which noted the Legislature transferred control of the litter control program to the Department of Corrections in the 80's ... I have sent similar request to the DOC without success. Again, as mentioned I have contacted law makers and local law enforcement departments in an effort to combat our mounting litter problem. Some of the feedback has been "the people can't afford stiffer penalties", "this does not fall under our departments", "too difficult to apprehend", "individuals discard alcohol containers in an effort to avoid an open container violation, we don't have personnel to monitor this", and "I take my job seriously and don't have a problem issuing citations but the judge and magistrate more often than not let the violators' off without consequence".

As a retired small business owner it seems to me a positive cash flow effort could be obtained within a three year period if the needed changes were put in place.

James Penn

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**From:** Mail Delivery Subsystem <MAILER-DAEMON@atl4mhob01.myregisteredsite.com>  
**Sent:** Monday, February 23, 2015 10:49 PM  
**To:** james@pennderosa.com  
**Subject:** Returned mail: see transcript for details  
**Attachments:** details.txt; FW: Thank you for contacting the office of Governor Haley (19.4 KB)

The original message was received at Mon, 23 Feb 2015 22:48:56 -0500 from  
atl4obmail04pod1.mgt.hosting.qts.netsol.com [10.30.71.116]

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----- Transcript of session follows ----- ... while talking to sc.lmhostediq.com.:  
>>> MAIL From:< > SIZE=25999  
<<< 530 5.7.0 Must issue a STARTTLS command first  
554 5.0.0 Service unavailable

The Honorable Nikki R. Haley  
Office of the Governor  
1205 Pendleton Street  
Columbia, South Carolina 29201

February 23, 2015

Dear Governor Haley,

I am enclosing my email response because the remote server would not or could not accept the message.

Respectfully,

James R. Penn