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Mark Schaefer
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AX-15-000-0205

September 30, 2014

EX OFFICE SECRETARIAT

Environmental Protection Agency ✓
Office of the Administrator 1101A
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

US EPA, Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, GA 30303

SC DHEC – EQC Bureau of Water
2600 Bull Street
Columbia, SC 29201

Greenville County
Joseph Kernel
301 University Ridge, Suite 2400
Greenville, SC 29601

Greenville County Soil & Water Conservation District
301 University Ridge, Suite 4800
Greenville, SC 29601

RE: Notice of Intent to Sue under the Federal Clean Water Act

Dear Administrators:

Please be advised that I, Mark W. Schaefer, hereby give notice of intent to file suit against you in your official capacity as administrator(s) for failing to perform a nondiscretionary duty under the Clean Water Act (“CWA”). Specifically, you have failed to adequately oversee the issuance, maintenance, and supervision of the established policies procedures related to permits issued to the County of Greenville, South Carolina as well as the Greenville County Soil & Water Conservation District in one or more of the following ways by and through the delegated authority issued to the respective agencies:

Greenville County Soil & Water Conservation District:

Failure to supervise maintenance and control of the Huff Creek Watershed #1B, and more specifically, the failure to catch, inspect and/or correct the building of multiple berms to impound surface water and flood neighboring properties within a recorded watershed easement at County of Greenville Property Tax #0594030103200 for personal use; further failure in generating and directing disclosure that the property is not subject to restrictions of the easement and control of the CWA, the actions occurred beyond a statute of limitations to correct, generating of documents stating the property owner is not subject to restrictions of reporting, permit requirements for dredging or performance of other excavation work and/or planting of invasive foliage and/or that agency lacks oversight and enforcement ability related to the property in question.

Further, the local administrator has failed to monitor the development of underground pipes connecting to the storm water collection basins, berms and/or barriers within the registered easement in contravention of S.C. Code 49-11-10 resulting in the flooding of my property due to the personal

actions of nearby property property owner Michael C. Stehney, Junior.

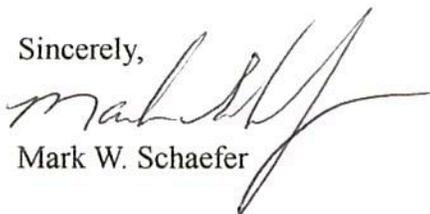
County of Greenville, South Carolina:

Failure to maintain compliance of the storm water permit by and through allowing property owner Michael C. Stehney, Junior to connect to the County of Greenville Stormwater basins adjacent to Mill Creek Road, Piedmont, South Carolina, for purposes of redirecting and impounding stormwater collected from an area exceeding five acres, inclusive of road surface area, via underground piping to a pond built within a deeded watershed easement (Greenville Register of Deeds, Book 669 Page 120-121); and further establishing a point of discharge system to control the depth of the waters impounded or emptying such in their entirety onto the banks Ray Branch Creek causing erosion of such before proceeding on towards Huff Creek and the Saluda River.

Litigation has already commenced in the United States District Court for the District of South Carolina as C.A. No. 6:14-cv-1213-GRA-KFM by other parties with interest in the ongoing failures of the local administrator(s) failure to adequately maintain and control the property.

Please feel free to contact the undersigned should you have any questions or concerns regarding this communication.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark W. Schaefer', with a long, sweeping horizontal stroke extending to the right.

Mark W. Schaefer