

**STATE OF SOUTH CAROLINA
BEFORE THE BOARD OF HEALTH AND ENVIRONMENTAL CONTROL**

The South Carolina Coastal Conservation League,

Requestor,

vs.

Maguro Enterprises, LLC, and the South Carolina Department of Health and Environmental Control,

Respondent.

Docket No.: 19-RFR-48

CONSENT AGREEMENT

This Consent Agreement (“Agreement”) is entered into by and between the South Carolina Department of Health and Environmental Control (the “Department”), Maguro Enterprises, LLC, (“Maguro”), and the South Carolina Coastal Conservation League (“SCCCL”).

RECITALS

WHEREAS on October 9, 2019, the Department issued Permit # 08IN015 (“Permit”) to Maguro authorizing an additional one million gallons per day (1 MGD) withdrawal of groundwater at the Google Data Center campus located in Moncks Corner, Berkeley County, South Carolina, for a total authorization of a one million five hundred thousand gallons per day (1.5 MGD/549 MGY); and

WHEREAS the SCCCL timely filed a Request for Final Review Conference (“RFR”) seeking review of the Permit and a conference is scheduled before the Board of Health and Environmental Control (“Board”) on December 12, 2019; and

WHEREAS in the interest of resolving this matter without the delay and expense of protracted litigation, the Department, Maguro, and the SCCCL (collectively the "Parties") have agreed to settle and finally resolve this matter pursuant to the terms set forth below.

AGREEMENT

NOW THEREFORE, the Parties agree to resolve this matter as follows:

1. Special Condition #1 of the Permit is hereby modified by replacing the existing Special Condition # 1 with the following:


The Department acknowledges the permittee's intent to use potable water and stormwater collected on site as the primary resources. The permittee shall withdraw the groundwater only 1) when conducting maintenance or 2) when demand exceeds the available potable water and stormwater supplies, including 2a) during peak demand times and 2b) as backup water supply in case of a shortfall. The permittee shall also make all efforts to develop alternative water sources. The Department shall evaluate all available data at the time of a requested renewal in order to conserve and protect these resources, prevent waste, and to provide and maintain conditions which are conducive to the development and use of the resources. The permittee shall report groundwater usage data quarterly to the Department. Such courtesy reporting is in addition to the annual reporting that is required by the Department regulations and as a condition of the Permit.

2. SCCCL hereby withdraws its request for a Final Review Conference scheduled before the Board of Health and Environmental Control on December 12, 2019.

3. This Consent Agreement shall attach to the Permit until the Permit's expiration.


IT IS SO AGREED.

WE CONSENT:



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Date: Dec 11, 2019

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