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EQC Enforcement Report

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**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
July 11, 2013**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 12-0053-UST
 Order Date: April 3, 2013
 Respondent: **Lucky Strike Amusements, LLC**
 Facility: Corner Stop 23
 Location: 5630 Highway 76
 Sandy Springs, SC 29677
 Mailing Address: 1252 Overbrook Drive
 Gaffney, SC 29341

 County: Anderson
 *Previous Orders: None
 Permit/ID Number: 00507
 Violations Cited: State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act) §44-2-60(A)
 (2002 and Supp. 2012), and the South Carolina Underground Storage
 Tank Control Regulation 61-92.280.34(c), R.61-92.280.35(c), R.61-
 92.280.40(a), R.61-92.280.41(b)(1), R.61-92.280.43(d), R.61-
 92.280.44(a), R.61-92.280.45(b)(1), R.61-92.280.50(c), R.61-
 92.280.52(a), R.61-92.280.93(a), and R.61-92.280.110(c) (Supp. 2012).

Summary: Lucky Strike Amusements, LLC (Respondent) owns and operates underground storage tanks (USTs) in Anderson County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide documents to the Department upon request; failure to have a trained class A/B operator for the facility; failure to provide an adequate release detection method; failure to perform annual tightness testing on pressurized lines; failure to conduct adequate release detection using an automatic tank gauge; failure to perform an annual line leak detector function check; failure to maintain records for one year; failure to report monitoring results that indicate that a release may have occurred; failure to perform a system test to determine whether a release may have occurred; failure to provide financial responsibility; failure to provide financial responsibility documentation to the Department upon request; and, failure to pay annual tank registration fees.

Action: The Respondent is required to: submit 12 months automatic tank gauge records or tank tightness, line tightness test and line leak detector function

County: Aiken
Previous Orders: None
Permit/ID Number: 11160
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) §44-2-60(A) (2002 and Supp. 2012), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.34(c), R.61-92.280.40(a), R.61-92.280.43(h), R.61-92.280.45(b)(1), R.61-92.280.93(a), and R.61-92.280.110(c) (2012).

Summary: Pops of Aiken, LLC (Respondent) owns and operates underground storage tanks (USTs) in Aiken County, South Carolina and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide documents to the Department upon request; failure to provide an adequate release detection method; failure to conduct adequate release detection using statistical inventory reconciliation (SIR); failure to maintain records for one year; failure to provide financial responsibility; failure to provide financial responsibility documentation to the Department upon request; and, failure to pay annual tank registration fees.

Action: The Respondent is required to: submit 12 months of SIR records or tank tightness and line tightness test results for all USTs; submit a completed Certificate of Financial Responsibility and proof of mechanism; pay annual tank registration fees and late fees for fiscal year 2013 in the amount of six hundred sixty dollars (\$660.00); and, pay a civil penalty in the amount of eight thousand, two hundred seventy-five dollars (**\$8,275.00**).

4) Order Type and Number: Administrative Order 12-0455-UST
Order Date: April 3, 2013
Respondent: **Jalaram, LLC**
Facility: Jalaram
Location: 10447 Wilson Boulevard
Blythewood, SC 29016
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 10503
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and Supp. 2012), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.20(c)(1)(ii) (Supp. 2012).

Summary: Jalaram, LLC (Respondent) owns and operates underground storage tanks (USTs) in Richland County, South Carolina, and has violated the

South Carolina Underground Storage Tank Control Regulations as follows:
failure to equip a UST system with overfill protection.

Action: The Respondent is required to pay a civil penalty in the amount of one thousand, five hundred dollars (**\$1,500.00**). All violations were corrected prior to the issuance of the Order.

- 5) Order Type and Number: Administrative Order 12-0555-UST
Order Date: April 3, 2013
Respondents: **Sanjay Patel & Ulka Patel**
Facility: Pee Dee Grocery
Location: 9150 Highway 701 South
Conway, SC 29572
Mailing Address: 2521 Hunters Trail
Myrtle Beach, SC 29288
County: Horry
Previous Orders: 12-0138-UST (\$600.00)
Permit/ID Number: 10475
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and
Supp. 2012), and the South Carolina Underground Storage Tank Control
Regulation 61-92.280.20(e), R.61-92.280.34(c), R.61-92.280.35(e), R.61-
92.280.35(f), R.61-92.280.40(a), R.61-92.280.41(a), and R.61-
92.280.43(d) (Supp. 2012).

Summary: Sanjay Patel and Ulka Patel (Respondents) own and operate underground storage tanks (USTs) in Horry County, South Carolina and have violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install piping in accordance with accepted codes and standards; failure to provide records to the Department upon request; failure to validate monthly requirements; failure to visit the facility once per quarter; failure to provide an adequate release detection method; failure to monitor the USTs at least once every 30 days for a release; and, failure to conduct adequate release detection using an automatic tank gauge.

Action: The Respondents are required to: submit tank tightness test results for the regular unleaded grade UST #2; submit proof that shear valves on dispensers 1/2 and 3/4 have been repaired; submit a completed class A/B operator log; and, pay a civil penalty in the amount of seven thousand, twenty-five dollars (**\$7,025.00**).

- 6) Order Type and Number: Administrative Order 13-0007-UST
Order Date: April 3, 2013

Respondent: **Owdom Oil Company of Saluda, Inc. d.b.a. Owdom Oil Company**
Facility: BP Express Lube
Location: 405 North Main Street
Saluda, SC 29138
Mailing Address: P.O Box 606
Saluda, SC 29138
County: Saluda
Previous Orders: None
Permit/ID Number: 17181
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and Supp. 2012), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.34(c), R.61-92.280.40(a), R.61-92.280.41(b)(1)(ii), R.61-92.280.43(d), R.61-92.280.44(a), and R.61-92.280.45(b)(1) (Supp. 2012).

Summary: Owdom Oil Company of Saluda, d.b.a. Owdom Oil Company (Respondent) owns and operates underground storage tanks (USTs) in Saluda County, South Carolina and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide records to the Department upon request; failure to provide an adequate release detection method; failure to conduct annual tightness testing on pressurized lines; failure to conduct release detection using an automatic tank gauge; failure to check line leak detector function annually; and, failure to maintain records for one year.

Action: The Respondent is required to: submit tank tightness test results; and, pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

7) Order Type and Number: Consent Order 13-0056-UST
Order Date: April 4, 2013
Respondents: **Holy Infant Management, LLC and Bountyland Food Services, Inc.**
Facility: Bubba Exit 4 Truck Plaza
Location: 272 Herring Road
Fair Play, SC 29643
Mailing Address: 3224 South Hwy.1
Fort Pierce, FL 34982
County: Anderson
Previous Orders: None
Permit/ID Number: 06730
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (2012), and

the South Carolina Underground Storage Tank Control Regulation 61-92.280.20(c)(1)(ii) (2012).

Summary: Holy Infant Management, LLC owns and Bountyland Food Services, Inc. (Respondents) operates underground storage tanks in Anderson County, South Carolina and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to use an adequate overfill prevention system in an underground storage tank.

Action: The Respondents are required to: pay a civil penalty in the amount of five hundred dollars (**\$500.00**). All violations were corrected prior to the issuance of the Order.

- 8) Order Type and Number: Consent Order 13-0057-UST
 Order Date: May 1, 2013
 Respondent: **Bukhari Holdings, LLC**
 Facility: Pumpers Premium Store 2
 Location: 703 Southeast Main Street
 Simpsonville, SC 29681-3237

 Mailing Address: 819 East North Street
 Greenville, SC 29601-3101

 County: Greenville
 Previous Orders: None
 Permit/ID Number: 12252
 Violations Cited: State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and
 Supp. 2012), and the South Carolina Underground Storage Tank Control
 Regulation 61-92.280.34(c) and R.61-92.280.40(a)(2) (Supp. 2012).

Summary: Bukhari Holdings, LLC (Respondent) owns and operates underground storage tanks (USTs) in Greenville County, South Carolina and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide records to the Department upon request; and, failure to properly maintain release detection equipment.

Action: The Respondent is required to: submit proof of repair on the regular unleaded grade UST #2 electronic line leak detector; submit testing results for the repaired line leak detector on the regular unleaded grade UST #2; submit a 0.2 gallons per hour test of the regular unleaded grade UST #2 line; and, pay a civil penalty in the amount of eight hundred sixty-five dollars (**\$865.00**).

- 9) Order Type and Number: Consent Order 13-0059-UST
 Order Date: May 30, 2013
 Respondent: **Jack Moore**

Facility: Skipper Landing
Location: 1085 Lakeshore Drive
Cross Hill, SC 29332
Mailing Address: 3401 Wade Hampton Blvd.
Taylors, SC 29687
County: Laurens
Previous Orders: None
Permit/ID Number: 12561
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (2012), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.34(c), R.61-92.280.35(e), R.61-92.280.35(f), R.61-92.280.35(g), R.61-92.280.35(h)(2), R.61-92.280.40(a), R.61-92.280.41(a), R.61-92.280.41(b)(1)(ii), R.61-92.280.43(h), R.61-92.280.44(a), and, R.61-92.280.45(b)(1) (Supp. 2012).

Summary: Jack Moore (Respondent) owns and operates underground storage tanks (USTs) in Laurens County, South Carolina and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to maintain and operate a corrosion protection system; failure to provide records to the Department upon request; failure to validate monthly requirements had been performed; failure to physically visit each assigned facility once per quarter; failure to designate and train Class C Operators; failure to provide an adequate release detection method for an UST; failure to monitor tanks for releases at least every thirty days; failure to conduct release detection in accordance with the requirements of the statistical inventory reconciliation (SIR) method; failure to conduct annual function testing of a line leak detector; and, failure to maintain sampling, testing, or monthly monitoring records for at least one year.

Action: The Respondent is required to: submit a list of designated and trained Class C operators at the Facility; submit a current Class A/B operator log; submit acceptable line leak detector function test results for the leak detector at the Facility; submit twelve months of SIR monitoring reports from January 2012 to December 2012 or acceptable tank tightness and line tightness test results; and, pay a civil penalty in the amount of four thousand, two hundred seventy-five dollars (**\$4,275.00**).

10) Order Type and Number: Consent Order 13-0060-UST
Order Date: May 30, 2013
Respondent: **Quick Pantry of Orangeburg, LLC**
Facility: Quick Pantry 2
Location: 8640 Old State Road
Holly Hill, SC 29059
Mailing Address: 1998 Carolina Avenue

Orangeburg, SC 29115
County: Orangeburg
Previous Orders: 12-0043-UST (\$1,865.00)
Permit/ID Number: 13185
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (2012), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.34(c), R.61-92.280.40(a), R.61-92.280.40(a)(2), R.61-92.280.41(a), R.61-92.280.43(d) and, R.61-92.280.45(b)(1) (Supp. 2012).

Summary: Quick Pantry of Orangeburg, LLC (Respondent) owns and operates underground storage tanks (USTs) in Orangeburg County, South Carolina and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide records to the Department upon request; failure to provide an adequate release detection method for a UST; failure to properly maintain release detection equipment; failure to monitor tanks for releases at least every thirty days; failure to conduct release detection in accordance with the requirements of the automatic tank gauge (ATG) method; failure to properly maintain release detection equipment; and, failure to maintain sampling, testing, or monthly monitoring records for at least one year.

Action: The Respondent is required to: submit repair records for the premium grade ATG monitoring probe or proof that the premium grade UST has been emptied to contain less than one inch of product; submit passing tank tightness test results for the premium and diesel USTs; submit proof that the diesel UST has been emptied to less than one inch of product or now and in the future, ensure that the diesel UST contains sufficient product to generate monthly reports by the chosen method of release detection; and, pay a civil penalty in the amount of four thousand, three hundred sixty-five dollars (**\$4,365.00**).

11) Order Type and Number: Consent Order 13-0100-UST
Order Date: May 1, 2013
Respondent: **Evans Petroleum Company, Inc.**
Facility: Jackie's Quick Mart
Location: 5811 Lancaster Highway
Fort Lawn, SC 29714
Mailing Address: 60 South Market Street
Lancaster, SC 29720-3630
County: Chester
Previous Orders: None
Permit/ID Number: 11634
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (2012), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.20(c)(1)(ii) (Supp. 2012).

Summary: Evans Petroleum Company, Inc. (Respondent) owns and operates underground storage tanks (USTs) in Chester County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to equip a UST system with overfill protection.

Action: The Respondent is required to: pay a civil penalty in the amount of five hundred dollars (**\$500.00**). All violations were corrected prior to the issuance of the Order.

Hazardous Waste Enforcement

12) Order Type and Number: Consent Order 13-06-HW
Order Date: April 16, 2013
Respondent: **InChem Corporation**
Facility: InChem Corporation
Location: 800 Cel-River Road
Rock Hill, SC 29730
Mailing Address: Same
County: York
Previous Orders: None
Permit/ID Number: SCD 981 014 780
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2); South Carolina Hazardous Waste Management Regulation 61-79.265.173(a), R.61-79.265.172(b)(1), and R.61-79.262.11.

Summary: InChem Corporation (Respondent) manufactures specialty resins and surfactants for commercial use. The Respondent violated the Hazardous Waste Management Regulations as follows: failure to keep satellite accumulation containers of hazardous waste closed, unless adding or removing waste; failure to maintain a containment system which is free of cracks or gaps and is sufficiently impervious to contain leaks and spills; and, failure to make an accurate waste determination on solid wastes generated during its business operations.

Action: The Respondent has agreed to: ensure that containers holding hazardous waste are managed in accordance with applicable regulations; ensure that hazardous waste storage areas are provided secondary containment in accordance with applicable regulations; ensure that an accurate waste determination is made on all solid wastes; and, pay a civil penalty in the amount of four thousand, five hundred dollars (**\$4,500.00**).

13) Order Type and Number: Consent Order 13-07-HW
Order Date: April 16, 2013
Respondent: **Terex USA, LLC West Campus,
Rock Hill**
Facility: Terex USA, LLC West Campus,
Rock Hill
Location: 590 Huey Street
Rock Hill, SC 29730
Mailing Address: Same
County: York
Previous Orders: None
Permit/ID Number: SC0 000 194 092
Violations Cited: The South Carolina Hazardous
Waste Management Act §44-56-130(2); South Carolina Hazardous Waste
Management Regulation 61-79.262.34(a)(2), R.61-
79.262.34(a)(1)(i)/265.173(a); R.61-79.262.34(c)(1)(i)/265.173(a); R.61-
79.262.34(c)(1)(ii); and, R.61-79.262.34(a)(4)/265.15(d).

Summary: Terex USA, LLC West Campus, Rock Hill (Respondent) fabricates and assembles light towers. The Respondent violated the Hazardous Waste Management Regulations as follows: failure to label a container of hazardous waste with the date upon which the accumulations period began; failed to keep a container of hazardous waste closed during storage; failure to label a satellite accumulation container with the words "Hazardous Waste;" and, failure to include on weekly inspection logs the time the inspection was performed.

Action: The Respondent has agreed to: ensure that containers holding hazardous waste are managed in accordance with applicable regulations; ensure that weekly inspections are documented and the logs or summaries include the time of the inspection; and, pay a civil penalty in the amount of one thousand, seven hundred fifty dollars (**\$1,750.00**).

Solid Waste Enforcement

14) Order Type and Number: Administrative Order 12-13-SW
Order Date: April 3, 2013
Respondent: **TRM USA, Inc.**
Facility: TRM USA, Inc. Waste Tire
Processing
Location: 6331 Fain Street
North Charleston, SC
Mailing Address: 755 Nell Court
Mt. Pleasant, SC 29464
County: Charleston

Previous Orders: None
Permit/ID Number: TIRE-00033
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (Rev. 2002) and the Solid Waste Management: Waste Tires Regulation 61-107.3 (Supp. 2011).

Summary: TRM USA, Inc. (Respondent) operated a waste tire processing business at 6331 Fain Street, located in North Charleston, South Carolina, and has violated the South Carolina Solid Waste Policy and Management Act of 1991 and the Waste Tires Regulation as follows: failure to fund a financial assurance mechanism acceptable to the Department for completing final closure prior to accepting waste tires, in that the Respondent failed to obtain financial assurance before accepting waste tires at the Facility; and, failure to complete removal of waste tires and cleaning of waste handling areas within ten (10) days of closure and request Department inspection and approval of closure, in that waste tires remained at the Facility after the Respondent notified the Department of permanent closure.

Action: The Respondent is required to: remove all waste tires from the Facility; properly dispose of the waste tires; submit disposal/recycling receipts; and, pay a civil penalty in the amount of forty-nine thousand, two hundred thirty-two dollars and fifty cents (**\$49,232.50**).

BUREAU OF WATER

Drinking Water Enforcement

15) Order Type and Number: Consent Order 13-029-DW
Order Date: April 3, 2013
Respondent: **Hampton Hall Club, Inc.**
Facility: Hampton Hall Club
Location: 170 Hampton Hall Boulevard
Bluffton, SC 29926
Mailing Address: Same
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-1074D
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Hampton Hall Club, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a spa. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards; the pH level was not

within the acceptable range of water quality standards; the bound and numbered log book was not maintained on a daily basis; the disinfection equipment was not operating; and, the automatic controller was not operating. A violation was issued for failure to properly operate and maintain the spa on four occasions and for failure to contact the Department to schedule an inspection prior to re-opening the spa.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of two thousand three hundred eighty dollars (**\$2,380.00**). The civil penalty has been paid.

16) Order Type and Number: Consent Order 13-030-DW
Order Date: April 3, 2013
Respondent: **Cherokee Valley Golf Club, LLC**
Facility: Cherokee Valley Golf Club
Location: 304 Cherokee Valley Way
Travelers Rest, SC 29690
Mailing Address: 2 Office Park Court, Suite 103
Columbia, SC 29223
County: Greenville
Previous Orders: None
Permit/ID Number: 23-1189B and 23-1190C
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Cherokee Valley Golf Club, LLC (Respondent) owns and is responsible for the proper operation and maintenance of two pools. The Respondent has violated the Public Swimming Pools Regulation as follows: a gate did not self close and latch; the bathroom did not have toilet paper; the pool rules sign was not completely filled out; the current pool operator of record information was not posted; the chlorine level was not within the acceptable range of water quality standards; the pH level was not within the acceptable range of water quality standards; the bound and numbered log book was not maintained on a daily basis; the flow meter was not operating; and, the United States Coast Guard approved life ring was defective in that it had cracked. A violation was issued for failure to properly operate and maintain the pools on two occasions.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of one thousand three hundred sixty dollars (**\$1,360.00**).

17) Order Type and Number: Consent Order 13-031-DW
Order Date: April 3, 2013
Respondent: **Country Club of Newberry**

Facility: Country Club of Newberry
Location: 4012 Nance Street
Newberry, SC 29108
Mailing Address: P.O. Box 246
Newberry, SC 29108
County: Newberry
Previous Orders: None
Permit/ID Number: 36-023-1 and 36-024-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Country Club of Newberry (Respondent) owns and is responsible for the proper operation and maintenance of a pool and kiddie pool. The Respondent has violated the Public Swimming Pools Regulation as follows: algae was present on the pool wall and floor; the gate did not self close and latch; the pool rules sign was not completely filled out; only one "Shallow Water – No Diving" sign was posted; the pool operator of record information was not posted; the bound and numbered log book was not maintained on a daily basis; steps at the handrail were chipped; the pH level was not within the acceptable range of water quality standards; the depth markers on the deck were not non-skid depth markers; the pool floor was chipped; the shepherd's crook was not the approved length; and, the disinfection equipment, the recirculation and filtration system, and the automatic controller were not accessible for inspection. A violation was issued for failure to properly operate and maintain the pool and kiddie pool on two occasions.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and pay a civil penalty in the amount of one thousand three hundred sixty dollars (**\$1,360.00**).

18) Order Type and Number: Consent Order 13-032-DW
Order Date: April 3, 2013
Respondent: **Palmetto Pointe Limited Partnership**
Facility: Palmetto Pointe Apartments
Location: 1220 Meredith Drive
Columbia, SC 29212
Mailing Address: 2 Office Park Court
Columbia, SC 29223
County: Lexington
Previous Orders: None
Permit/ID Number: 32-167-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Palmetto Pointe Limited Partnership (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent

has violated the Public Swimming Pools Regulation as follows: the pool floor was not clean in that it had dirt on it; the cyanuric acid level was above the water quality standards acceptable limit; the United States Coast Guard approved life ring was damaged, did not have grab rings, and was missing a permanently attached rope; the shepherd's crook did not have the crook attached and was not the approved length; the pool rules sign was not completely filled out; the pool operator of record information was not posted; the bound and numbered log book was not maintained on a daily basis; and, the chlorine level was not within the acceptable range of water quality standards. A violation was issued for failure to properly operate and maintain the pool on two occasions.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

19) <u>Order Type and Number:</u>	Consent Order 13-033-DW
<u>Order Date:</u>	April 3, 2013
<u>Respondent:</u>	LQ Acquisition Properties, L.L.C.
<u>Facility:</u>	La Quinta Inn
<u>Location:</u>	4709 North Kings Highway Myrtle Beach, SC 29572
<u>Mailing Address:</u>	909 Hidden Ridge, Suite 600 Irving, TX 75038
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-C36-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: LQ Acquisition Properties, L.L.C. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: the ladders were not tight and secure; the handrails were not tight and secure; the gate did not self close and latch; the shepherd's crook was not permanently attached to the pole and the pole was not the approved length; the bound and numbered log book was not maintained on a daily basis; algae was present on the pool tiles; the life line was missing floats and the floats present were broken; and, the depth markers were faded. A violation was issued for failure to properly operate and maintain the pool on two occasions.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

20) Order Type and Number: Consent Order 13-034-DW
Order Date: April 16, 2013
Respondent: **Greenwood County**
Facility: Eddy Road Water Line Extension
Location: 600 Monument Street
Greenwood, SC 29646
Mailing Address: Same
County: Greenwood
Previous Orders: None
Permit/ID Number: 27665-WS
Violations Cited: S.C Code Ann. Regs. 61-58.1.K(1)

Summary: Greenwood County (Respondent) is responsible for the construction of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to obtain written approval to operate from the Department prior to placing the PWS into operation.

Action: The Respondent is required to: pay a civil penalty in the amount of eight hundred fifty dollars (**\$850.00**). The civil penalty has been paid.

21) Order Type and Number: Consent Order 13-035-DW
Order Date: April 16, 2013
Respondent: **Lake Wylie Mobile Homes, LP**
Facility: Lake Wylie Mobile Home Park
Location: 1295 Stateline Road
Lake Wylie, SC 29710
Mailing Address: Same
County: York
Previous Orders: None
Permit/ID Number: 46-071-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Lake Wylie Mobile Homes, LP (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: a ladder was not tight and secure; the gate did not self close and latch; the bathrooms did not have soap; the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; an emergency telephone was not available; the pool rules sign was not completely filled out; the bound and numbered log book was not maintained on a daily basis; and, there were chemicals in the pump room. A violation was issued for failure to properly operate and maintain the pool on one occasion.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool closed until the deficiencies have been corrected; and, pay a civil penalty in the amount of two hundred eighty dollars (**\$280.00**). The civil penalty has been paid.

22) Order Type and Number: Consent Order 13-036-DW
Order Date: April 16, 2013
Respondent: **Oceanaire Properties, LLC**
Facility: Oceanaire
Location: 2801 North Ocean Boulevard
Myrtle Beach, SC 29578
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-147-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Oceanaire Properties, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: the depth markers on the pool wall were below the waterline; a ladder was not tight and secure; algae was present on the wall of the pool; a skimmer basket was broken; the gate did not self close and latch; the main drain grates were not visible in that the water was cloudy and green; the chlorine level was not within the acceptable range of water quality standards; the bound and numbered log book was not maintained on a daily basis; and, a light in the pool was loose. A violation was issued for failure to properly operate and maintain the pool on one occasion.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool closed until the deficiencies have been corrected; and, pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**).

23) Order Type and Number: Consent Order 13-037-DW
Order Date: April 16, 2013
Respondent: **Akwalia LLC**
Facility: Blue Bay Motel
Location: 1204 North Ocean Boulevard
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-702-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Akwalia LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: a ladder was not tight and secure; the deck was not clear of hazards in that the chairs were not at least four feet from the edge of the pool; the gate did not self close and latch; the pH level was not within the acceptable range of water quality standards; the water was cloudy; the pool rules sign was not completely filled out; only one “Shallow Water – No Diving” sign was posted; the current pool operator of record information was not posted; and, the bound and numbered log book was not available for Department review. A violation was issued for failure to properly operate and maintain the pool on one occasion.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool closed until the deficiencies have been corrected; and, pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

24)	<u>Order Type and Number:</u>	Consent Order 13-038-DW
	<u>Order Date:</u>	April 16, 2013
	<u>Respondent:</u>	Water Head, LLC
	<u>Facility:</u>	Gauley Falls 2, 4, 5, 6
	<u>Location:</u>	6212 Highway 11 Pickens, SC 29671
	<u>Mailing Address:</u>	402 Memorial Drive Extension Greer, SC 29651
	<u>County:</u>	Pickens
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	3950008
	<u>Violations Cited:</u>	S.C Code Ann. Regs. 61-58.7

Summary: Water Head, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations for failure to properly operate and maintain the PWS as follows: Well 2 did not have a properly screened vent and the well house was infested with ants and bird nests and was surrounded by vegetation; there were complaints of low water pressure; and, the flow meter was not working.

Action: The Respondent is required to: correct the deficiencies and pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

25)	<u>Order Type and Number:</u>	Consent Order 13-039-DW
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<u>Order Date:</u>	April 16, 2013
<u>Respondent:</u>	Charleston National Country Club, L.L.C.
<u>Facility:</u>	Charleston National Country Club
<u>Location:</u>	1360 National Drive Mt. Pleasant, SC 29466
<u>Mailing Address:</u>	Same
<u>County:</u>	Charleston
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	10-503-1, 10-504-1, and 10-613-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Charleston National Country Club, L.L.C. (Respondent) owns and is responsible for the proper operation and maintenance of three pools. The Respondent has violated the Public Swimming Pools Regulation as follows: a gate did not self close and latch; the pool floor was discolored; the pool floor was dirty; a ladder was missing caps; a ladder was not tight and secure; the pool water was cloudy; the United States Coast Guard approved life ring was defective in that it had ants living in it; there were no “Shallow Water – No Diving” signs posted; the chlorine level was not within the acceptable range of water quality standards; the pH level was not within the acceptable range of water quality standards; the bound and numbered log book was not maintained on a daily basis; the disinfection equipment was not operating; the automatic controller was not operating; and, the emergency telephone was not functional. A violation was issued for failure to properly operate and maintain public swimming pools Permit No. 10-503-1 and Permit No. 10-504-1 on three occasions, and a violation was issued for failure to properly operate and maintain public swimming pool Permit No. 10-613-1 on two occasions.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pools closed until the deficiencies have been corrected; and, pay a civil penalty in the amount of three thousand nine hundred twenty dollars (**\$3,920.00**).

26) <u>Order Type and Number:</u>	Consent Order 13-040-DW
<u>Order Date:</u>	April 16, 2013
<u>Respondent:</u>	Village Walk Homeowners Association, Inc.
<u>Facility:</u>	Village Walk
<u>Location:</u>	100 Village Walk Lane Clemson, SC 29631
<u>Mailing Address:</u>	Same
<u>County:</u>	Pickens
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	39-1030B

Violations Cited:

S.C. Code Ann. Regs. 61-51(J)

Summary: Village Walk Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: the gate did not self close and latch; the water level was low; the foot wash pipe was leaking; the skimmers were missing weirs; the chlorine level was not within the acceptable range of water quality standards; the pH level was not within the acceptable range of water quality standards; the bound and numbered log book was not maintained on a daily basis; the United States Coast Guard approved life ring was missing; and, the automatic controller was not operating. A violation was issued for failure to properly operate and maintain the pool on two occasions.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

27) Order Type and Number: Consent Order 13-041-DW
Order Date: April 16, 2013
Respondent: **Brenda's Country Store, LLC**
Facility: Brenda's Country Store
Location: 10084 Cotton Hill Road
Garnet, SC 29922
Mailing Address: Same
County: Jasper
Previous Orders: None
Permit/ID Number: 2770916
Violations Cited: S.C Code Ann. Regs. 61-58.5.F

Summary: Brenda's Country Store, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform.

Action: The Respondent is required to: submit an investigative report to determine the causes of the MCL exceedances and a corrective action plan to include proposed steps to address those causes; and, pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

28) Order Type and Number: Consent Order 13-042-DW
Order Date: April 16, 2013
Respondent: **Serendipity, An Inn, LLC**

Facility: Serendipity
Location: 407 71st Ave
North Myrtle Beach, SC 29572
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-251-1 and 26-G14-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Serendipity, An Inn, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool and spa. The Respondent has violated the Public Swimming Pools Regulation as follows: the lifeline was not in place in that it was laying on the pool deck; a ladder was not tight and secure; the pool floor was not clean in that there was algae and dirt on the floor; the skimmer was not operating properly in that it had a broken weir; the gate did not self close and latch; a light was not secured to the pool wall; the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the shepherd's crook was not permanently attached to the pole; there were no "Shallow Water – No Diving" signs posted; only one of the "No Lifeguard on Duty – Swim at your Own Risk" signs was posted; the current pool operator of record information was not posted; the bound and numbered log book was not maintained on a daily basis; the deck was missing the " No Diving" tiles; a handrail was not tight and secure; the skimmer cover did not fit the skimmer; chlorine sticks were in the skimmer basket; and, the pH level was not within the acceptable range of water quality standards. A violation was issued for failure to properly operate and maintain the pool and spa on one occasion.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool and spa closed until the deficiencies have been corrected; and, pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

29) Order Type and Number: Consent Order 13-043-DW
Order Date: May 1, 2013
Respondent: **St. John's Property Owners Association, Inc.**
Facility: St. John's Inn
Location: 6803 North Ocean Boulevard
Myrtle Beach, SC 29572
Mailing Address: 1039 44th Avenue
Myrtle Beach, SC 29577
County: Horry
Previous Orders: None
Permit/ID Number: 26-078-1 and 26-E15-1

Violations Cited:

S.C. Code Ann. Regs. 61-51(J)

Summary: St. John's Property Owners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool and spa. The Respondent has violated the Public Swimming Pools Regulation as follows: the lifeline floats were not spaced every five feet; the gates did not self close and latch; the United States Coast Guard approved life ring was damaged in that the rope around the life ring was broken; the pool rules sign was not completely filled out; the pool operator of record information was not posted; the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the skimmers were not operating properly in that the baskets were floating; a light was not properly secured to the pool wall; the bound and numbered log book was not maintained on a daily basis; and, a handrail was not tight and secure. A violation was issued for failure to properly operate and maintain the pool and spa on two occasions.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of one thousand, three hundred sixty dollars (**\$1,360.00**).

30) <u>Order Type and Number:</u>	Consent Order 13-044-DW
<u>Order Date:</u>	May 1, 2013
<u>Respondent:</u>	River Falls Plantation Golf, Inc.
<u>Facility:</u>	River Falls Plantation
<u>Location:</u>	100 Player Boulevard Duncan, SC 29375
<u>Mailing Address:</u>	P.O. Box 38 Gramling, SC 29348
<u>County:</u>	Spartanburg
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	42-156-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: River Falls Plantation Golf, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: the lifeline with floats was missing; the gate did not self latch; the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; algae was present on the wall and floor of the pool; and, the flow meter was not operating. A violation was issued for failure to properly operate and maintain the pool on three occasions.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of one thousand, six hundred eighty dollars (**\$1,680.00**).

31) Order Type and Number: Consent Order 13-045-DW
Order Date: May 1, 2013
Respondent: **Town of Batesburg-Leesville**
Facility: Town of Batesburg-Leesville
Location: 244 West Columbia Avenue
Batesburg-Leesville, SC 29070
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: 3210002
Violations Cited: S.C Code Ann. Regs. 61-58.7

Summary: The Town of Batesburg-Leesville (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations for failure to properly operate and maintain the PWS as follows: the water source quantity was insufficient; there was no alum day tank and the gas chlorine and ammonia cylinders were not stored in secure locations; residual and static hydro-pressure test results were not available; there was no inspection report of the elevated storage tank vents and hatches; the Granite Street and Wellington elevated storage tanks had significant rust on the outside; the mechanical equipment was not in optimal condition; there was only one certified distribution operator; monthly operating reports revealed that finished water turbidity levels were near the limit; there was no backup pump; the clearwell vents were not curved so that the opening faced the ground; water lines were constricted due to growing tuberculation; and, there was not a plan to begin replacing piping older than forty years.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**); and, pay a stipulated penalty in the amount of two thousand dollars (\$2,000.00) should the Respondent fail to meet any requirement of the Order.

32) Order Type and Number: Consent Order 13-046-DW
Order Date: May 1, 2013
Respondent: **Lynwood Byrdic, Individually and d.b.a. Brookgreen Estates**
Facility: Brookgreen Estates
Location: 4400 Shanlee Drive

Mailing Address: Conway, SC 29526
County: Same
Previous Orders: Horry
Permit/ID Number: None
Violations Cited: 26-J39-1
S.C. Code Ann. Regs. 61-51(J)

Summary: Lynwood Byrdic, Individually and d.b.a. Brookgreen Estates (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: the “No Diving” tiles were missing; the pool wall was missing tiles at the waterline; the pool wall was not clean in that the area above the waterline was dirty; the pool deck was not clear of hazards in that there were cracks in the pool deck; the gate did not self close and latch; a bathroom did not have soap; the pH level was not within the acceptable range of water quality standards; the United States Coast Guard approved life ring rope was too short; the emergency telephone was not operating properly; the pool rules sign was not completely filled out; only one “No Lifeguard on Duty – Swim at Your Own Risk” sign was posted; the current pool operator of record information was not posted; and, the bound and numbered log book was not available for review. A violation was issued for failure to properly operate and maintain the pool on one occasion.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool closed until the deficiencies have been corrected; and pay a civil penalty in the amount of three hundred forty dollars (**\$340.00**).

33) Order Type and Number: Consent Order 13-047-DW
Order Date: May 23, 2013
Respondent: **South Ocean, LLC**
Facility: Quality Inn at the University
Location: 2376 U.S. 501
Conway, SC 29526
Mailing Address: 3 Clemson Road
Conway, SC 29526
County: Horry
Previous Orders: None
Permit/ID Number: 26-875-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: South Ocean, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: floats on the lifeline were broken, and the lifeline was not in the pool; the gate did not self close and latch; only one “Shallow Water – No Diving” sign was posted; only one “No Lifeguard On Duty

– Swim At Your Own Risk” sign was posted; the chlorine level was not within the acceptable range of water quality standards; the shepherd’s crook was not permanently attached to the pole; the depth markers were faded; a ladder was not tight and secure; the pool wall was not clean in that the area above the water line was dirty, and algae was present on the pool wall and floor; and, the bound and numbered log book was not maintained on a daily basis. A violation was issued for failure to properly operate and maintain the pool on three occasions.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of two thousand, four hundred dollars (**\$2,400.00**).

34) Order Type and Number: Consent Order 13-048-DW
Order Date: May 23, 2013
Respondent: **Harbor Island Utilities, Inc.**
Facility: Harbor Island
Location: 4 Harbor Drive
Saint Helena Island, SC 29920
Mailing Address: P.O. Box 1028
Beaufort, SC 29901-1028
County: Beaufort
Previous Orders: None
Permit/ID Number: 0750013
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F

Summary: Harbor Island Utilities, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform.

Action: The Respondent is required to: submit an investigative report to determine the causes of the MCL exceedances and a corrective action plan to include proposed steps to address those causes; and, pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

Water Pollution Enforcement

35) Order Type and Number: Consent Order 13-024-W
Order Date: April 3, 2013
Respondent: **Merriwether Fire Department**
Facility: Merriwether Fire Department

Location: 1879 West Martintown Road
North Augusta, SC 29860-9615
Mailing Address: Same
County: Edgefield
Previous Orders: None
Permit/ID Number: SCR100587
Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008
and S.C. Code Ann. § 48-1-110(d) (2008); 24 S.C. Code Ann. Regs. 61-
9.122.41(e) (2011).

Summary: Merriwether Fire Department (Respondent), located in North Augusta, South Carolina, owns and is responsible for land-disturbing activities associated with the construction of a fire training facility. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to properly install, operate, and maintain storm water, sediment and erosion control devices and allowed the discharge of sediment into the environment, in a manner other than in compliance with a permit issued by the Department.

Action: The Respondent is required to: submit a report signed and stamped by a State Registered Professional Engineer certifying the installation and operation of all storm water controls; and, pay a civil penalty in the amount of nine thousand six hundred dollars (**\$9,600.00**) payable in four (4) quarterly installments.

36) Order Type and Number: Consent Order 13-025-W
Order Date: May 1, 2013
Respondent: **City of Sumter**
Facility: Pocotaligo River WWTP
Location: 600 Justin Lane, Sumter, SC 29150
Mailing Address: Same
County: Sumter
Previous Orders: None
Permit/ID Number: SC0027707
Violations Cited: S.C. Code Ann. §48-1-110(d)(2008);
24 S.C. Code Ann. Regs. 61-9.122.41(a)(Supp. 2012)

Summary: The City of Sumter (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment plant (WWTP) serving the residents and businesses of its designated service area in Sumter County. The Respondent failed to meet permitted effluent limitations for Whole Effluent Toxicity/Chronic Toxicity (CTOX) during the quarters ending October 31, 2011 and July 31, 2012.

Action: The Respondent is required to: submit a corrective action plan (Plan) to identify and remediate the potential source(s) of toxicity and propose action steps with an implementation schedule to be evaluated and approved by the Department; monitor the effectiveness of the approved corrective action steps engaged for a period of one (1) year after implementation of the approved Plan. In the event of a CTOX failure, the Respondent agrees to supplemental monthly sampling to demonstrate their ability to meet, voluntarily, more stringent monthly average toxicity limits. Failing that, the Respondent agreed to engage a full scale Toxicity Identification Evaluation/Toxicity Reduction Evaluation. The Respondent must pay a **stipulated penalty** in the amount of six thousand dollars (**\$6,000.00**) should they fail to meet any requirement of the Order.

37) Order Type and Number: Consent Order 13-026-W
Order Date: May 23, 2013
Respondent: **Town of Norway**
Facility: Town of Norway WWTF
Location: Winchester Ave and Bragg St.
Norway, SC 29113
Mailing Address: Post Office Box 127
Norway, SC 29113
County: Orangeburg
Previous Orders: 07-091-W (\$1,750.00)
Permit/ID Number: SC0045993
Violations Cited: S.C. Code Ann. §48-1-110(d)(2008)
and 24 S.C. Code Ann. Regs. 61-9.122.41 (a) and (l)(4) (Supp. 2011).

Summary: The Town of Norway (Respondent), located in Orangeburg County, South Carolina, owns and is responsible for proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to properly operate and maintain the WWTF and to properly report administratively and technically complete Discharge Monitoring Reports (DMRs) in accordance with the requirements of its National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent is required to: submit a Viability Study to ensure that the Respondent has the financial, technical and managerial means to properly operate and maintain the WWTF; submit a corrective action plan (CAP) identifying actions to be taken to ensure proper operation and maintenance of the WWTF that includes a diagnostic evaluation; submit a preliminary engineering report (PER) for an upgrade of the WWTF should the diagnostic evaluation report show an upgrade is necessary to meet limits; pay a civil penalty in the amount of one thousand, six hundred dollars (**\$1,600.00**); and, pay a suspended penalty in the amount of fourteen thousand, four hundred dollars (\$14,400.00) should the Respondent fail to meet any requirement of the Order.

38) Order Type and Number: Consent Order 13-027-W
Order Date: May 23, 2013
Respondent: **JENA Development, LLC**
Facility: Brookforest MHP WWTF
Location: Hwy 321 South
Cayce SC 29033
Mailing Address: 500 Myrtle Beach Hwy
Sumter, SC 29153
County: Lexington
Previous Order: None
Permit/ID Number: SC0031178 (Inactivated)
Violation(s) Cited: 24 S.C. Code Ann. Regs.61-82
(Supp. 2008)

Summary: JENA Development, LLC (Respondent) owns and is responsible for the closure of a wastewater treatment facility (WWTF) that served the Brookforest Mobile Home Park located in Lexington County, South Carolina. The Respondent has violated the Proper Closeout of Wastewater Treatment Facilities Regulation as follows: failed to properly close the WWTF.

Action: The Respondent is required to: submit an administratively and technically complete closure plan developed in accordance with the regulations; within one hundred eighty (180) days of the date of Department approval of the closure plan, complete all closure activities and request a final inspection from the Department's Midlands EQC office.

BUREAU OF AIR QUALITY

39) Order Type and Number: Consent Order 13-016-A
Order Date: April 16, 2013
Respondent: **Demolition & Asbestos Removal, Inc.**
Facility: Former Chester Auto Mall
Location: 1691 J.A. Cochran Bypass,
Chester, SC
Mailing Address: 4716 Hilltop Rd.,
Greensboro, NC 27407
County: Chester
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. EPA 40 CFR 61.145 and
61.150, and 25A S.C. Code Ann. Regs. 61-86.1, Sections V, VIII, and X.

Summary: Demolition & Asbestos Removal, Inc. (Respondent) is a Department-licensed asbestos contractor who obtained Department-issued asbestos licenses for work at a commercial property located in Chester, South Carolina. The Respondent violated U.S. EPA Asbestos Regulations at 40 CFR and South Carolina Standards of Performance for Asbestos Projects as follows: failed to supervise, control, or otherwise ensure that its subcontractor was undertaking the removal of asbestos in compliance with the applicable work practice and disposal requirements; and, failed to ensure waste shipment records were submitted to the Department.

Action: The Respondent is required to: ensure that proper management and oversight is provided to ensure compliance with all applicable requirements of federal and state asbestos regulations and pay a civil penalty in the amount of twelve thousand, eight hundred dollars (**\$12,800.00**).

40) Order Type and Number: Consent Order 13-017-A
Order Date: April 16, 2013
Respondent: **M.A.C. Environmental, LLC**
Facility: Former Chester Auto Mall
Location: 1691 J.A. Cochran Bypass,
Chester, SC
Mailing Address: P.O. Box 6,
Ridgeville, SC 29472
County: Chester
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. EPA 40 CFR 61.145 and
61.150, and 25A S.C. Code Ann. Regs. 61-86.1, Sections V, VIII, and X.

Summary: M.A.C. Environmental, LLC (Respondent) is a Department-licensed asbestos contractor who engaged in a regulated asbestos project at a commercial property located in Chester, South Carolina. The Respondent violated U.S. EPA Asbestos Regulations at 40 CFR and South Carolina Standards of Performance for Asbestos Projects as follows: failed to ensure that asbestos was removed in accordance with applicable preparation, removal, cleanup, and disposal requirements; failed to ensure asbestos waste was properly sealed, contained, and secured; failed to use licensed workers; failed to ensure adequate air monitoring was performed during abatement activities; failed to maintain valid worker training and license documentation; and, failed to submit timely and complete waste shipment records.

Action: The Respondent is required to: henceforth comply with all applicable requirements of federal and state asbestos regulations and pay a civil penalty in the amount of nineteen thousand dollars (**\$19,000.00**).

41) Order Type and Number: Consent Order 13-018-A
Order Date: April 16, 2013
Respondent: **County of York**
Facility: McCelvey Center Annex
Location: 210 E. Jefferson Street,
York, SC 29745
Mailing Address: P.O. Box 148,
York, SC 29745
County: York
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. EPA 40 CFR 61.145 and
61.150, and 25A S.C. Code Ann. Regs. 61-86.1, Sections V, VIII, X, and
XVI

Summary: The County of York (Respondent), owns the McCelvey Center Annex located at 210 E. Jefferson St. in York, South Carolina. The Respondent violated U.S. EPA Asbestos Regulations at 40 CFR and South Carolina Standards of Performance for Asbestos Projects as follows: failed to submit a written notice of intent to renovate and demolish to the Department; failed to ensure that the required work practice requirements were adhered to while engaged in a major asbestos project; failed to obtain a Department-issued asbestos project license; failed to use workers that were licensed by the Department; and, failed to ensure that asbestos-containing materials were properly disposed.

Action: The Respondent is required to: ensure compliance with applicable requirements during future projects involving asbestos; ensure that applicable notifications are submitted and required licenses are obtained prior to engaging in future asbestos projects; ensure workers employed for future asbestos projects are licensed by the Department; and, pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**).

42) Order Type and Number: Consent Order 13-019-A
Order Date: May 16, 2013
Respondent: **Alfred H. Knight North America Ltd.**
Facility: Alfred H. Knight North America Ltd.
Location: 130 Tradd Street,
Spartanburg, SC 29301
Mailing Address: P.O. Box 3504,
Spartanburg, SC 29304-3504
County: Spartanburg
Previous Orders: None
Permit/ID Number: 2060-0273

Violations Cited:
Section II

24A S.C. Code Ann. Regs. 61-62.1,

Summary: Alfred H. Knight North America Ltd. (Respondent) owns and operates a facility that tests precious and non-precious metals. On December 21, 2010, the Department issued Air Quality Operating Permit 2060-0273 (Operating Permit) to the Respondent. The Respondent violated its Operating Permit as follows: failed to maintain records of water flow and pH readings for its scrubbers; failed to maintain records of calibration checks of pH and liquid flow meters for its scrubbers, and for pressure drop gauges on its dust collectors; and, failed to operate and maintain a liquid flow meter and a pH meter on a scrubber.

Action: The Respondent is required to: maintain records of all required monitoring data, support information, and parameter readings; operate and maintain pressure drop indicators, liquid flow meters, and pH meters on its scrubbers and dust collectors; comply with a standard operating procedure that developed to address the maintenance of its scrubbers and dust collectors; and, pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**).

43) Order Type and Number: Consent Order 13-020-A
Order Date: May 1, 2013
Respondent: **Georgia-Pacific Wood Products, LLC**
Facility: Georgia-Pacific Wood Products LLC
Location: 600 Georgia Pacific Blvd.,
Prosperity, SC 29127
Mailing Address: Same
County: Newberry
Previous Orders: None
Permit/ID Number: TV-1780-0009
Violations Cited: U.S. EPA 40 CFR 60.43b, 5 S.C.
Code Ann. Regs. 61-62.60, Subpart Db, and 5 S.C. Code Ann. Regs.
61.62.1, Section II, Permit Requirements

Summary: Georgia-Pacific Wood Products LLC (Respondent) owns and operates a plywood manufacturing facility in Prosperity, South Carolina. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-1780-0008 to the Respondent, effective January 1, 2010. The Respondent violated U.S. EPA Regulations at 40 CFR, South Carolina Air Pollution Control Regulations, and its Title V Permit as follows: exceeded the particulate matter emission limit from its wood-fired boiler during a Department-approved source test on November 27, 2012.

Action: The Respondent is required to: limit emissions from the boiler to those established by the Title V Permit and Subpart Db; and, pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

44) Order Type and Number: Consent Order 13-021-A
Order Date: May 1, 2013
Respondent: **Pressley's Recycling Center, Inc.**
Facility: Pressley's Recycling Center, Inc.
Location: 9531 Charlotte Hwy.,
Indian Land, SC 29707
Mailing Address: P.O. Box 1029,
Fort Mill, SC 29716
County: Lancaster
Previous Orders: None
Permit/ID Number: 1460-0068
Violations Cited: 5 S.C. Code Ann. Regs. 61.62.6,
Section II

Summary: Pressley's Recycling Center, Inc. (Respondent) owns and operates a waste recycling facility in Indian Land, South Carolina. On December 3, 2012, the Department issued Air Quality Operating Permit 1460-0068 to the Respondent. The Respondent violated South Carolina Air Pollution Control Regulations as follows: discharged fugitive particulate matter emissions that could be reasonably controlled on two separate occasions.

Action: The Respondent is required to: prevent any fugitive emissions that can reasonably be controlled from escaping into the ambient air; install wet suppression systems; comply with terms and conditions of the Air Quality Permit; and, pay a civil penalty in the amount of three thousand, five hundred dollars (**\$3,500.00**).

45) Order Type and Number: Consent Order 13-022-A
Order Date: May 1, 2013
Respondent: **City of York**
Facility: City of York Water Filter Plant/
Fishing Creek Wastewater Treatment
Plant
Location: 700 W. Liberty St.
York, SC 29745/2498 Ecology Rd.
York, SC 29745
Mailing Address: 10 N. Roosevelt St.
York, SC 29127
County: York
Previous Orders: None

Permit/ID Number: N/A
Violations Cited: U.S. EPA Regulations at 40 CFR 68, and 24A South Carolina Code Ann. Regs. 61-62.68, Chemical Accident Prevention Provisions.

Summary: The City of York (Respondent) operates water filter and wastewater treatment plants in York, South Carolina. The Respondent violated U.S. EPA Regulations at 40 CFR and South Carolina Air Pollution Control Regulations as follows: failed to develop and implement a management system to oversee the implementation of risk management program elements; failed to analyze worst-case and alternative release scenarios for each regulated process; failed to define and estimate the population and environmental receptors that would be impacted by an offsite release; failed to maintain the appropriate equipment process safety information; failed to perform a process hazard analysis; failed to develop and implement required written operating procedures; failed to maintain employee training and participation documentation; failed to demonstrate it had performed a pre-startup safety review; failed to perform compliance audits; failed to establish an incident investigation team and procedures; failed to address permits issued for hot work operations; and, failed to address contract owner and contract employee responsibilities.

Action: The Respondent is required to: henceforth comply with all applicable requirements of the Chemical Accident Prevention Provisions; and, pay a civil penalty in the amount of sixteen thousand, five hundred dollars (**\$16,500.00**) payable in four equal quarterly installments.

46) Order Type and Number: Consent Order 13-023-A
Order Date: May 1, 2013
Respondent: **Holly Oak Chemical, Inc.**
Facility: Holly Oak Chemical, Inc.
Location: 101 Case St.
Fountain Inn, SC 29644
Mailing Address: P.O. Box 277
Fountain Inn, SC 29644
County: Greenville
Previous Orders: 09-048-A (\$20,500.00)
Permit/ID Number: 1200-0191
Violations Cited: U.S. EPA 40 CFR 68, and 24A S.C. Code Ann. Regs. 61-62.68, Chemical Accident Prevention Provisions and 24A S.C. Code Ann. Regs. 61-62.1, Section II

Summary: Holly Oak Chemical, Inc. (Respondent) manufactures custom toll chemicals. On August 13, 2007, the Department issued Air Quality Operating Permit 1200-0191 (Operating Permit) to the Respondent. The Respondent violated U.S. EPA Regulations at 40 CFR, South Carolina Air Pollution Control

Regulations, its Operating Permit, and Consent Order 09-048-A, as follows: failed to record liquid pressure during operation of its scrubbers; failed to determine an operational range for liquid pressure for the scrubbers; and, failed to comply with all elements of its risk management program pursuant to the Chemical Accident Prevention Provisions, including, but not limited to, information relating to compliance audits, operating procedures, safety information, and maintenance of process equipment.

Action: The Respondent is required to: record liquid pressure daily each shift during operation for the scrubbers; maintain an operational range for liquid pressure for the scrubbers; implement and maintain the risk management program in accordance with the regulations; pay a civil penalty in the amount of two thousand, one hundred dollars (**\$2,100.00**); and, pay a suspended penalty in the amount of eighteen thousand, nine hundred dollars (\$18,900.00) should it fail to meet any requirement of the Order.

47) Order Type and Number: Consent Order 13-024-A
Order Date: May 1, 2013
Respondent: **Michael Pye**
Facility: Respondent's Residence
Location: 141 Larson Drive
Summerville, SC 29483
Mailing Address: Same
County: Dorchester
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: 24A S.C. Code Ann. Regs. 61-62.2
(Supp. 2011), Prohibition of Open Burning

Summary: Mr. Michael Pye (Respondent) owns and resides on property located at 141 Larson Drive in Summerville, South Carolina. The Respondent violated South Carolina Air Pollution Control Regulations as follows: burned materials (household garbage) which are prohibited by the Regulation.

Action: The Respondent is required to: cease open burning, except as in accordance with the regulations; and, pay a civil penalty in the amount of two hundred fifty dollars (**\$250.00**).

48) Order Type and Number: Consent Order 13-025-A
Order Date: May 16, 2013
Respondent: **Integrated Recycling Group of SC, LLC**
Facility: Integrated Recycling Group of SC, LLC

Location: 5899 N. Main Street
Cowpens, SC 29330
Mailing Address: Same
County: Spartanburg
Previous Orders: 08-053-A (\$6,500.00)
Permit/ID Number: 2060-0080
Violations Cited: 5 S.C. Code Ann. Regs. 61-62.1,
Section II, and Consent Order 08-053-A

Summary: Integrated Recycling Group of SC, LLC (Respondent), owns and operates a facility that reprocesses synthetic fibers from textile greige facilities. On October 29, 2008, the Department issued Air Quality Operating Permit 2060-0080 (Operating Permit) to the Respondent. The Respondent violated its Operating Permit and Consent Order 08-053-A as follows: failed to maintain a log of operation and maintenance (O&M) checks for its sock filters.

Action: The Respondent is required to: maintain a log of O&M checks; and pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**).

49) Order Type and Number: Consent Order 13-027-A
Order Date: May 30, 2013
Respondent: **Maintenance Insulation Company, Inc.**
Facility: Mt. Zion Baptist Church
Location: 1358 Kershaw Camden Hwy.
Lancaster, SC 29720
Mailing Address: P.O. Box 2197
Lancaster, SC 29720
County: Chester
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. EPA 40 CFR 61.145 and 7 S.C.
Code Ann. Regs. 61-86.1, Sections V, and X, and XV

Summary: Maintenance Insulation Company, Inc. (Respondent) is a Department-licensed asbestos abatement contractor who engaged in a regulated asbestos project at the Mt. Zion Baptist Church located in Great Falls, South Carolina. The Respondent violated U.S. EPA Standards of Performance for Asbestos Projects and South Carolina Standards of Performance for Asbestos Projects as follows: failed to ensure that a building inspection was performed prior to beginning renovation; failed to submit a written notice of intent to renovate to the Department at least 10 working days prior to beginning a major asbestos project; failed to ensure that the required work practice and air monitoring requirements were adhered to while engaged in a major asbestos project.

Action: The Respondent is required to: ensure a building inspection is performed prior to engaging in any future asbestos projects; ensure that applicable notifications are submitted to the Department; ensure that all applicable work practice requirements are followed during future asbestos projects; and, pay a civil penalty in the amount of ten thousand dollars (**\$10,000.00**).

50) Order Type and Number: Consent Order 13-028-A
Order Date: May 30, 2013
Respondent: **Lee County Landfill SC LLC**
Facility: Lee County Landfill
Location: 1431 Sumter Highway
Bishopville, SC 29010
Mailing Address: Same
County: Lee
Previous Orders: None
Permit/ID Number: 1540-0029
Violations Cited: 5 S.C. Code Ann. Regs. 61-62.70.5(a)(1)(iii) and 5 S.C. Code Ann. Regs. 61-62.1, Section II,

Summary: Lee County Landfill SC, LLC (Respondent) owns and operates a municipal solid waste landfill located in Lee County, South Carolina. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-1540-0029 to the Respondent, effective July 13, 2007. The Title V Permit expired on September 30, 2012. The Respondent violated South Carolina Air Pollution Control Regulations and its Title V Permit as follows: failed to submit a complete Title V Permit renewal application to the Department at least six (6) months prior to the permit expiration date.

Action: The Respondent is required to: comply with all terms and conditions of Title V Permit TV-0820-0045, effective July 13, 2007, until such time as the Department takes final action on the application for renewal; and, pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

* Unless otherwise specified, "Previous Orders" as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.