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## EQC Enforcement Report

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**EQC ENFORCEMENT REPORT**  
**BOARD OF HEALTH AND ENVIRONMENTAL CONTROL**  
**October 14, 2010**

**Bureau of Land and Waste Management**

**Underground Storage Tank Enforcement**

- 1)     Order Type and Number:                     Administrative Order 09-0129-UST  
          Order Date:                                 July 29, 2010  
          Respondent:                                 **Ameerali Jivani**  
          Facility:                                     Macedonia Superette  
          Location/Mailing Address:             2307 N. Highway 17A, Bonneau, SC  
   29431/1116 Carmona Ave., Spring  
   Hill, FL 34608  
  
          County:   Berkeley  
          Previous Orders:                             None  
          Permit/ID Number:                         14143  
          Violations Cited:                         State     Underground     Petroleum  
          Environmental Response Bank Act of 1988, as amended, and the South  
          Carolina Underground Storage Tank Control Regulation 61-92.280.93(a)  
          and R.61-92.280.110(c).

Summary: Ameerali Jivani (Respondent) owns and operates underground storage tanks (USTs) in Berkeley County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to demonstrate financial responsibility and to provide financial responsibility records to the Department upon request.

Action: The Respondent is required to: submit proof of mechanism for financial responsibility and a completed Certificate of Financial Responsibility; and, pay a civil penalty in the amount of two thousand, five hundred dollars (**\$2,500.00**).

- 2)     Order Type and Number:                     Administrative Order 09-0198-UST  
          Order Date:                                 August 5, 2010  
          Respondent:                                 **Evans Petroleum Co., Inc.**  
          Facility:                                     Highway 5 Grocery and Grill  
          Location/Mailing Address:             443 Rock Hill Hwy., Lancaster, SC  
   29720/605 S. Market St., Lancaster,  
   SC 29720  
  
          County:   Lancaster  
          Previous Orders:                             None

Permit/ID Number: 05517  
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988, as amended, and the South Carolina Underground Storage Tank Control Regulation 61-92.280.31(a), R.61-92.280.31(b), R.61-92.280.31(c) and R.61-92.280.34(c).

Summary: Evans Petroleum Co., Inc. (Respondent) owns and operates underground storage tanks (USTs) in Lancaster County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to operate and maintain corrosion protection equipment continuously; failure to have the corrosion protection system inspected by a qualified tester every three years; failure to inspect the impressed current system every sixty days; and, failure to provide records to the Department upon request.

Action: The Respondent is required to pay a civil penalty in the amount of three thousand, nine hundred seventy-five dollars (**\$3,975.00**). All violations were corrected prior to the issuance of the Order.

3) Order Type and Number: Administrative Order 09-0261-UST  
Order Date: July 29, 2010  
Respondent: **Miguel Adorno**  
Facility: Adorno Family Market  
Location/Mailing Address: 9821 South Highway 905, Longs, SC 29586  
County: Horry  
Previous Orders: None  
Permit/ID Number: 11431  
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988, as amended, and the South Carolina Underground Storage Tank Control Regulation 61-92.280.40(a), R.61-92.280.31(c), R.61-92.280.34(c) and SUPERB Act, Section 44-2-60(A).

Summary: Miguel Adorno (Respondent) owns and operates underground storage tanks (USTs) in Horry County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide adequate release detection methods; failure to inspect the impressed current system every sixty days; failure to provide records to the Department upon request; and, failure to pay to the Department annual UST registration fees.

Action: The Respondent is required to: submit an impressed current rectifier log; submit SIR reports for July 2008 through July 2009 for all USTs or acceptable tank tightness and line tightness test results for all USTs or proof that all USTs have been emptied to within one inch of residue; submit annual UST registration fees for fiscal year 2010 in the amount of three hundred sixty-three

dollars (\$363.00); and, pay a civil penalty in the amount of five thousand, four hundred twelve dollars (**\$5,412.00**).

- 4)     Order Type and Number:                     Consent Order 10-0051-UST  
       Order Date:                                 July 9, 2010  
       Respondent:                                 **Lucky Strike Amusements**  
       Facility:                                     Quick Pantry 18  
       Location/Mailing Address:             1003 Reynolds Ave., Greenwood,  
   SC 29649/1116 Cherokee Ave., Ste.  
   3, Gaffney, SC 29341  
  
       County:                                     Greenwood  
       Previous Orders:                         None  
       Permit/ID Number:                     04671  
       Violations Cited:                     State     Underground     Petroleum  
   Environmental Response Bank Act of 1988, as amended, and the South  
   Carolina Underground Storage Tank Control Regulation 61-92.280.31(a),  
   R.61-92.280.31(c), and R.61-92.280.34(c).

Summary: Lucky Strike Amusements (Respondent) owns and operates USTs in Greenwood County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to operate and maintain corrosion protection equipment continuously; failure to inspect the impressed current system every sixty (60) days; and, failure to provide records to the Department upon request.

Action: The Respondent is required to submit to the Department: proof that the disconnected anode wire has been properly repaired/replaced and buried; and, payment of a civil penalty in the amount of eight hundred fifty dollars (**\$850.00**).

- 5)     Order Type and Number:                     Consent Order 10-0071-UST  
       Order Date:                                 July 29, 2010  
       Respondent:                                 **Renaud's Country Mart, Inc.**  
       Facility:                                     378 Food Mart  
       Location/Mailing Address:             3860 Hwy 378, Leesville, SC 29071/  
   P.O. Box 1002, Lexington, SC  
   29071  
  
       County:                                     Lexington  
       Previous Orders:                         None  
       Permit/ID Number:                     19073  
       Violations Cited:                     State     Underground     Petroleum  
   Environmental Response Bank Act of 1988, as amended, and the South  
   Carolina Underground Storage Tank Control Regulation 61-92.280.40(a),  
   R.61-92.280.41(b)(1)(ii), and, R.61-92.280.34(c).

Summary: Renaud's Country Mart, Inc. (Respondent) owns and operates underground storage tanks in York County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide an adequate release detection method; failure to conduct an annual tightness test on pressurized lines or have monthly monitoring; and, failure to provide records to the Department upon request.

Action: The Respondent is required to submit to the Department payment of a civil penalty in the amount of eight hundred dollars (**\$800.00**). All violations were corrected prior to the issuance of the Order.

6) Order Type and Number: Consent Order 10-0077-UST  
Order Date: July 29, 2010  
Respondent: **Diversified Enterprises of Fort Mill**  
Facility: T & T Express  
Location/Mailing Address: 1697 Saluda St., Rock Hill, SC  
29731/P.O. Box 939, Fort Mill, SC  
29716  
County: York  
Previous Orders: None  
Permit/ID Number: 18339  
Violations Cited: State Underground Petroleum  
Environmental Response Bank Act of 1988, as amended, and the South  
Carolina Underground Storage Tank Control Regulation 61-92.280.20(e).

Summary: Diversified Enterprises of Fort Mill (Respondent) owns and operates underground storage tanks in York County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install USTs in accordance with accepted codes and standards.

Action: The Respondent is required to submit to the Department payment of a civil penalty in the amount of two hundred dollars (**\$200.00**). All violations were corrected prior to the issuance of the Order.

7) Order Type and Number: Consent Order 10-0088-UST  
Order Date: July 29, 2010  
Respondent: 1509 East Main Street, LLC  
Facility: **City Food Mart**  
Location/Mailing Address: 1509 E. Main St., Westminster, SC  
29693  
County: Oconee  
Previous Orders: None

Permit/ID Number: 10674  
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988, as amended, and the South Carolina Underground Storage Tank Control Regulation 61-92.280.43(h), and R.61-92.280.34(c).

Summary: 1509 East Main Street, LLC (Respondent) owns and operates underground storage tanks in Westminster, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to properly conduct release detection using Statistical Inventory Reconciliation and failure to provide records to the Department upon request.

Action: The Respondent is required to: submit a tank tightness and line tightness test for the diesel tank or submit proof that the tank has been emptied to less than one inch of residue; and, pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**) in accordance with a Promissory Note.

8) Order Type and Number: Consent Order 10-0107-UST  
Order Date: July 9, 2010  
Respondent: **Pantry, Inc.**  
Facility: Pantry 3277  
Location/Mailing Address: 3713 E. North St., Greenville, SC/P.O. Box 1410., Sanford, NC 27331  
County: Greenville  
Previous Orders: None  
Permit/ID Number: 11076  
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988, as amended, and the South Carolina Underground Storage Tank Control Regulation 280.20(c)(1)(ii).

Summary: Pantry, Inc. (Respondent) owns and operates underground storage tanks in Greenville, SC, 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 system.

Action: The Respondent is required to pay a civil penalty in the amount of five hundred dollars (**\$500.00**). The overfill prevention equipment violation was corrected prior to the issuance of the Order.

9) Order Type and Number: Consent Order 10-0108-UST  
Order Date: July 15, 2010  
Respondent: **Papa Oil, LLC**  
Facility: Corner Stop 54

Location/Mailing Address: 8214 Hwy. 14, Gray Court, SC/P.O.  
Box 2587, Anderson, SC 29622  
County: Laurens  
Previous Orders: None  
Permit/ID Number: 05711  
Violations Cited: State Underground Petroleum  
Environmental Response Bank Act of 1988, as amended, and the South  
Carolina Underground Storage Tank Control Regulation 61-92.280.31(a),  
R.61-92.280.31(b), R.61-92.280.31(c), and R.61-92.280.34(c).

Summary: Papa Oil, LLC (Respondent) owns and operates underground storage tanks in Gray Court, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to maintain and operate corrosion protection equipment continuously; failure to have the corrosion protection system inspected by a qualified tester every three (3) years; failure to inspect the impressed current system every sixty (60) days; and, failure to provide records to the Department upon request.

Action: The Respondent is required to: submit a current corrosion protection system test for the kerosene piping and a copy of the rectifier log for the current month; and, pay a civil penalty in the amount of nine hundred twenty-five dollars (**\$925.00**).

10) Order Type and Number: Consent Order 10-0103-UST  
Order Date: August 6, 2010  
Respondent: **Swink Quality Oil Company**  
Facility: Teals Mill Mini Mart  
Location/Mailing Address: 5580 Teals Mill Rd., Cheraw, SC  
29520/203 West Broad Ave.,  
Rockingham, NC 28379  
County: Chesterfield  
Previous Orders: None  
Permit/ID Number: 11294  
Violations Cited: State Underground Petroleum  
Environmental Response Bank Act of 1988, as amended, and the South  
Carolina Underground Storage Tank Control Regulation 61-92.280.34(c)  
and R.61-92.280.40(a).

Summary: Swink Quality Oil Company (Respondent) owns and operates underground storage tanks (USTs) in Chesterfield 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 provide an adequate release detection method for a UST system.

Action: The Respondent is required to: submit the most recent twelve (12) consecutive months of automatic tank gauge records for the 4,000-gallon regular unleaded tank or acceptable tank tightness test results for the 4,000-gallon regular unleaded tank or proof that the 4,000-gallon regular unleaded tank has less than one (1) inch of residue; and, pay a civil penalty in the amount of one thousand, twenty-five dollars (**\$1,025.00**).

- 11) Order Type and Number: Consent Order 10-0113-UST  
Order Date: August 23, 2010  
Respondent: **Ulka & Sanjay Patel**  
Facility: Forestbrook Grocery  
Location/Mailing Address: 1272 Forestbrook Rd., Myrtle Beach, SC 29579/2521 Hunters Trail, Myrtle Beach, SC 29588  
County: Horry  
Previous Orders: None  
Permit/ID Number: 17398  
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988, as amended, and the South Carolina Underground Storage Tank Control Regulation 61-92.280.40(a) and R.61-92.280.34(c).

Summary: Ulka & Sanjay Patel (Respondents) own and operate USTs in Horry County, South Carolina, and have violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide an adequate release detection method for a UST and failure to provide records to the Department upon request.

Action: The Respondent is required to: submit the most recent impressed current rectifier log entries and pay a civil penalty in the amount of one thousand, eight dollars (**\$1,008.00**).

- 12) Order Type and Number: Consent Order 10-0115-UST  
Order Date: August 30, 2010  
Respondent: **Mohammad T. Hameed**  
Facility: Star Mart  
Location/Mailing Address: 5608 South Highway 29, Starr, SC 29684  
County: Anderson  
Previous Orders: None  
Permit/ID Number: 17303  
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988, as amended, and the South Carolina Underground Storage Tank Control Regulation 61-92.280.20(e).



Summary: Mohammad T. Hameed (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 install USTs in accordance with accepted codes and standards.

Action: The Respondent is required to pay a civil penalty in the amount of four hundred fifty dollars (**\$450.00**). All violations were corrected prior to the issuance of the Order.

- 13) Order Type and Number: Consent Order 10-0125-UST  
Order Date: August 6, 2010  
Respondent: **Over The Top Endeavors, LLC**  
Facility: Grand Foodstuff 5  
Location/Mailing Address: 1320 Stallings Rd., Greenville, SC  
29609/3216 North Hwy. 14, Greer,  
SC 29651  
County: Greenville  
Previous Orders: None  
Permit/ID Number: 13211  
Violations Cited: State Underground Petroleum  
Environmental Response Bank Act of 1988, as amended, and the South  
Carolina Underground Storage Tank Control Regulation 61-  
92.280.20(c)(1)(ii).

Summary: Over The Top Endeavors, LLC (Respondent) owns and operates USTs in Greenville 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 a UST.

Action: The Respondent is required to pay a civil penalty in the amount of five hundred dollars (**\$500.00**). The overfill prevention equipment violation was corrected prior to the issuance of the order.

- 14) Order Type and Number: Consent Order 10-0149-UST  
Order Date: August 30, 2010  
Respondent: **L. A. Barrier & Son, Inc.**  
Facility: L. A. Barrier & Son, Inc.  
Location/Mailing Address: 115 Barrier Lane, Lexington, SC  
29072  
County: Lexington  
Previous Orders: None  
Permit/ID Number: 12388

Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988, as amended, and the South Carolina Underground Storage Tank Control Regulation 61-92.280.20(e).

Summary: L. A. Barrier & Son, Inc. (Respondent) owns and operates underground storage tanks (USTs) in Lexington County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install shear valves on the USTs in accordance with accepted codes and standards.

Action: The Respondent is required to pay a civil penalty in the amount of eight hundred four dollars (**\$804.00**). The shear valves were properly installed prior to the issuance of the order.

### **Hazardous Waste Enforcement**

15) Order Type and Number: Consent Order 10-11-HW  
Order Date: July 9, 2010  
Respondent: **Palmetto Plating Company, Inc.**  
Facility: Palmetto Plating Company, Inc.  
Location/Mailing Address: 510 Saco Lowell Rd.  
Easley, South Carolina 29641  
County: Pickens  
Previous Orders: 09-26-HW (\$8,000)  
Permit/ID Number: SCR 000 004 739  
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2) and the South Carolina Hazardous Waste Management Regulation 61-79.262.11.

Summary: Palmetto Plating Company, Inc. (Respondent) is a metal finishing company that operates in Easley, South Carolina. The Respondent has violated the Hazardous Waste Management Regulations for failure to make an accurate hazardous waste determination on a solid waste.

Action: The Respondent has agreed to ensure that an accurate waste determination is made on all solid wastes and pay a civil penalty in the amount of seven thousand, five hundred eighteen dollars (**\$7,518.00**).

16) Order Type and Number: Consent Order 10-12-HW  
Order Date: July 9, 2010  
Respondent: **Giant Resource Recovery - Sumter**  
Facility: Giant Resource Recovery - Sumter  
Location/Mailing Address: 755 Industrial Road

Sumter, South Carolina 29151  
County: Sumter  
Previous Orders: 06-04-HW,W,A (\$63,000); 08-049-W (\$6,000 suspended)  
Permit/ID Number: SCD 036 275 626  
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2) and the South Carolina Hazardous Waste Management Regulation 61-79.265.31; R.61-79.273.13(d)(1); R.61-79.273.13(d)(2);R.61-79.273.17(a);R.61-79.273.17(b);R.61-79.264.171; R.61-79.264.173(b); R.61-79.264.173(d); R.61-79.262.34(a)(2); R.61-79.264.193(c)(1); R.61-79.264.175(b)(1); R.61-79.264.1050(d); R.61-79.264.1084(b); R.61-79.264.17(b)(2); R.61-79.264.31; R.61-79.264.173(c); R.61-79.265.175(b)(1); R.61-79.265.173(a); R.61-79.264.75(a)(2),(3),(6)&(7); R.61-79.264.75(b); R.61-79.264.78(c); R.61-79.264.73(b)(1); R.61-79.264.73(b)(2); R.61-79.264.76(a)(1-7); R.61-79.262.34(c)(1)(i); R.61-79.262.34(c)(1)(ii); R.61-79.264.200; R.61-79.265.195(b)(2); R.61-79.265.15(a)(1); R.61-79.265.15(a)(2); R.61-79.265.15(c); R.61-79.265.15(d); R.61-79.264.71(a)(2)(i); R.61-79.265.17(b)(1); R.61-79.265.17(b)(3); and, R.61-79.265.17(b)(5).

Summary: Giant Resource Recovery-Sumter, Inc. (Respondent), located in Sumter, South Carolina, is a Treatment, Storage, and Disposal facility, as well as a Large Quantity Generator of hazardous waste. The Respondent has violated the South Carolina Hazardous Waste Management Regulations as follows: failure to maintain and operate the facility to minimize the possibility of a release of hazardous waste or hazardous waste constituents to air, soil, or surface water; failure to contain lamps in containers or packages that are structurally sound and adequate to prevent breakage; failure to immediately clean up and place in a container any lamp that is broken or shows evidence of breakage, leakage, or damage that could cause the release of mercury or other hazardous constituents to the environment; failure to determine whether material resulting from the release of universal waste is hazardous waste; failure to transfer hazardous waste from a container that is not in good condition to a container that is in good condition or manage the waste in some other way that complies with the requirements; failure to ensure that a container holding hazardous waste not be opened, handled, or stored in a manner which may rupture the container or cause it to leak; failure to appropriately label each container with an EPA Hazardous Waste Number; failure to ensure that the date upon which each accumulation period begins is clearly marked and visible on each container; failure to construct or line a secondary containment system with materials that are compatible with the waste(s) to be placed in the tank system and has sufficient strength and thickness to prevent failure owing to pressure gradients, physical contact with the waste to which it is exposed, climatic conditions, and the stress of daily operation; failure to design and operate a containment system with a base underlying the containers which is free of cracks or gaps and is sufficiently impervious to contain leaks, spills, and

accumulated precipitation until the collected material is detected and removed; failure to mark each piece of equipment subject to the hazardous air pollutant emissions requirements in such a manner that it can be distinguished readily from other pieces of equipment; failure to control air pollutant emissions from each tank subject to such requirements failure to take precautions to prevent reactions which produce uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health or the environment; failure to ensure that while being accumulated onsite, each container be labeled or marked clearly with the EPA Hazardous Waste Number and the words: "Hazardous Waste – federal laws prohibit improper disposal;" failure to ensure that containers holding hazardous waste be closed during storage; failure to submit quarterly reports of (1) hazardous waste received, treated, stored, disposed, and otherwise handled during the reporting period and (2) the EPA Identification Number of each hazardous waste generator from which the facility received a hazardous waste during the year; failure to pay a fee of one dollar per ton of hazardous wastes in excess of fifty tons remaining in storage at the end of the reporting period; failure to record and maintain an operating record that (1) includes the description and the quantity of each hazardous waste received, and the method(s) and date(s) of its treatment, storage, or disposal at the facility as required by Appendix I, and (2) identifies the location of each hazardous waste within the facility and the quantity at each location; failure to submit to the Agency an unmanifested waste report within 15 days after receiving the waste containing the specific information included in the regulations; failure to mark container either with the words "HAZARDOUS WASTE" or with other words that identify the contents of the container; failure to manage all hazardous waste placed in a tank in accordance with the applicable air emissions requirements; failure to inspect at least once each operating day the above ground portions of the tank system, if any, to detect corrosion or releases of waste; failure to inspect the facility for malfunctions and deterioration, operator errors, and discharges which may be causing or may lead to release of hazardous waste constituents to the environment, to a threat to human health; failure to remedy any deterioration or malfunction of equipment or structures which the inspection reveals on a schedule which ensures that the problem does not lead to an environmental or human health hazard; failure to record inspections in an inspection log or summary that includes the date and nature of any repairs or other remedial actions; failure to date, by hand, each copy of the manifest; failure to conduct the treatment, storage, or disposal of ignitable or reactive waste, and the mixture or commingling of incompatible wastes or incompatible wastes and materials so that it does not generate extreme heat or pressure, fire or explosion, or violent reaction; and, failure to conduct the treatment, storage, or disposal of ignitable or reactive waste, and the mixture or commingling of incompatible wastes or incompatible wastes and materials so that it does not produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions or threaten human health or the environment.

Action: The Respondent has agreed to: ensure that the facility is maintained and operated in a manner that minimizes the possibility of a release;

ensure that all universal waste lamps are managed in accordance with the requirements; ensure that all containers of hazardous waste are managed in accordance with the requirements; ensure that air pollutant emissions from tanks managing hazardous waste are controlled in accordance with the requirements; ensure that secondary containment systems are designed and managed in accordance with the requirements; submit for approval a Secondary Containment Management Plan and comply with the deadlines established by the permit engineer for adding the approved Secondary Containment Management Plan to the permit; ensure that ignitable, reactive, and incompatible wastes are managed in accordance with the requirements; incorporate ASTM 5058 testing procedures of all wastes that could possibly enter the roll-offs to help eliminate serious reactions due to mixing incompatible wastes; submit for approval a copy of the most recent ASTM 5058 or substantially equivalent method that GRR-Sumter will be using for incompatibility testing, incorporate the approved method into the Waste Analysis Plan, and comply with the deadlines established by the permit engineer for adding the approved method to the permit; ensure that Quarterly Reports are accurately completed and submitted to the Department in accordance with the requirements; ensure that unmanifested waste reports are submitted to the Department in accordance with the requirements; upon receipt of hazardous waste, verify the Hazardous Waste Activity status of the generator according to specific steps outlined in the Consent Order; ensure that the operating record is accurately maintained at the facility; ensure that weekly inspections are performed in accordance with the regulations; and, pay a civil penalty in the amount of fifty five thousand dollars (\$55,000.00).

- 17) Order Type and Number: Consent Order 10-13-HW  
Order Date: July 16, 2010  
Respondent: **Chata Coating & Laminating, Inc.**  
Facility: Chata Coating & Laminating, Inc.  
Location/Mailing Address: 628 Wilkerson Road  
Rock Hill, SC 29730  
County: York  
Previous Orders: None  
Permit/ID Number: SCR 000 766 600  
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2) and the South Carolina Hazardous Waste Management Regulation 61-79.262.11; R.61-79.262.34(d); R.61-79.270.1(c); R.61-79.265.174; and, R.61-79.265.175(a).

Summary: Chata Coating & Laminating, Inc. (Respondent), located in Rock Hill, South Carolina, is a multi-layer flexible packaging manufacturer. The Respondent has violated the South Carolina Hazardous Waste Management Regulations as follows: failure to make an accurate hazardous waste determination on a solid waste; failure to accumulate hazardous waste onsite for 180 days or less without having a permit or interim status; failure to apply for and

receive a permit from the Department for the storage of hazardous waste onsite for greater than 90 days; failure to perform weekly inspections on hazardous waste storage areas; and, failure to ensure that container storage areas have a containment system designed and operated in accordance with the regulations.

Action: The Respondent has agreed to: ensure that an accurate hazardous waste determination is made on all solid wastes; ensure that all containers of hazardous waste are managed in accordance with the requirements; and, pay a civil penalty in the amount of ten thousand dollars (**\$10,000.00**).

- 18) Order Type and Number: Consent Order 10-14-HW  
Order Date: July 15, 2010  
Respondent: **Spartan Industries, Inc.**  
Facility: Spartan Industries, Inc.  
Location/Mailing Address: P.O. Box 309  
Pacolet, SC 29372-0309  
County: Spartanburg  
Previous Orders: 06-073-A (\$8,000); 09-075-A (\$4,800)  
Permit/ID Number: SCD 003 359 726  
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2) and the South Carolina Hazardous Waste Management Regulation 61-79.262.11; R.61-79.262.34(a)(2); R.61-79.265.173(c); R.61-79.262.34(a)(3); R.61-79.265.173(a); R.61-79.273.13(d)(1); R.61-79.273.14(e); R.61-79.273.15(c); R.61-79.270.1(c); R.61-79.265.31; R.61-79.265.173(b); R.61-79.265.175(a); R.61-79.265.174; R.61-79.262.34(c)(1)(ii); R.61-79.262.34(c)(1); R.61-79.262.34(f); R.61-79.262.13(d); R.61-79.262.34(b); R.61-79.262.41(a); R.61-79.262.43(c); R.61-79.262.43(d); R.61-79.265.51(a); R.61-79.265.37(a)(1); R.61-79.265.15(d); R.61-79.265.16(a)(1); R.61-79.265.191(a); R.61-79.265.195(a); R.61-79.265.193(a); and, R.61-79.268.7(a)(5).

Summary: Spartan Industries, Inc. (Respondent), located in Pacolet, South Carolina, operates a precision grinding and chrome plating facility. The Respondent has violated the South Carolina Hazardous Waste Management Regulations as follows: failure to make an accurate hazardous waste determination on a solid waste; failure to label containers of hazardous waste with the date upon which each accumulation period begins, the words: “Hazardous Waste – federal law prohibits improper disposal,” and the EPA Hazardous Waste Number and the words: “Hazardous Waste – federal laws prohibit improper disposal;” failure to keep a container holding hazardous waste closed during storage; failure to contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps; failure to label or mark clearly each lamp or a container or package in

which such lamps are contained with one of the following phrases: “Universal Waste – Lamp(s),” “Waste Lamps,” or “Used Lamp(s);” failure to demonstrate the length of time that the universal waste has been accumulating from the date it becomes a waste or is received; failure to treat and store hazardous waste onsite under a permit; failure to maintain and operate the facility to minimize the possibility of a release of hazardous waste or hazardous waste constituents to air, soil, or surface water; failure to ensure that containers are not stored in a manner which may cause them to rupture or leak; failure to ensure that container storage areas have a containment system designed and operated in accordance with the requirements; failure to inspect, at least weekly, areas where containers are stored; failure to mark satellite accumulation containers with the words: “HAZARDOUS WASTE” or with other words that identify the contents of the container; failure to accumulate 55-gallons or less of hazardous waste at or near any point of generation where wastes initially accumulate; failure to store hazardous waste for no more than 180 days unless granted an extension to the 180-day period; failure to file a revised or new Notification form whenever the information previously provided becomes outdated or inaccurate; failure to prepare and submit a written quarterly report to the Department of waste generated; failure to include with the fourth quarter’s report all of the components defined in the regulations; failure to have a contingency plan designed to minimize hazards to human health or the environment; failure to make arrangements to familiarize emergency responders with various aspects of the facility as defined in the regulations; failure to record inspections in an inspection log or summary and keep these records at the facility for at least 3 years from the date of the inspection; failure to ensure that facility personnel complete a program of instruction or on-the-job training that teaches them to perform their duties as related to hazardous waste management; failure to obtain and keep on file at the facility a written assessment that has been reviewed and certified by a qualified Professional Engineer for tank systems that do not have secondary containment; failure to inspect the data gathered from monitoring and leak detection equipment of tank systems at least once each operating day; and, failure to develop and follow a written waste analysis plan which describes the procedures they will carry out to comply with the treatment standards.

Action: The Respondent has agreed to: ensure that an accurate hazardous waste determination is made on all solid wastes; ensure that containers of hazardous waste and that universal wastes are managed and stored in accordance with the regulations; cease treatment of all hazardous waste until a permit has been applied for and obtained; ensure that the Department is notified whenever information previously provided becomes inaccurate; ensure that all quarterly reports are maintained at the facility and submitted to the Department; ensure that a contingency plan is maintained; ensure that storage areas are inspected and all personnel handling hazardous waste are trained; ensure that hazardous waste tanks and tank systems are maintained until closure; develop and follow a written analysis plan in accordance with the regulations; dispose of all chromium waste contained in the tank system; submit for review and approval a closure plan for the tank system; submit copies of the hazardous waste manifests demonstrating

disposal of the waste contained in the tank system; and, pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**).

- 19) Order Type and Number: Consent Order 10-15-HW  
Order Date: July 26, 2010  
Respondent: **Sigma Solutions, LLC**  
Facility: Sigma Solutions, LLC  
Location/Mailing Address: 618 Greenwood Road  
W. Columbia, SC 29169-5319  
County: Lexington  
Previous Orders: None  
Permit/ID Number: SCR 000 771 741  
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2) and The South Carolina Hazardous Waste Management Regulation 61-79.262.11.

Summary: Sigma Solutions, LLC (Respondent), located in West Columbia, South Carolina, offers environmental, industrial, and consulting services. The Respondent has violated the Hazardous Waste Management Regulations for failure to make an accurate hazardous waste determination on a solid waste.

Action: The Respondent has agreed to: ensure that an accurate hazardous waste determination is made on all solid wastes; dispose of all hazardous waste onsite; submit copies of the hazardous waste manifests demonstrating disposal of the waste; and, pay a civil penalty in the amount of seven thousand, five hundred dollars (**\$7,500.00**).

### **Solid Waste Enforcement**

- 20) Order Type and Number: Consent Order 09-40-SW  
Order Date: July 13, 2010  
Respondent: **Stephen Corn**  
Facility: Steve's Pallets  
Location/Mailing Address: 2850 Freys Drive, Spartanburg,  
South Carolina/P.O. Box 559,  
Fairforest, South Carolina 29336  
County: Spartanburg  
Previous Orders: None  
Permit/ID Number: None  
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, as amended, and Solid Waste Management:



Solid Waste Landfills and Structural Fill, 25A S.C. Code Ann. Reg. 61-107.19, Part I, A.8.

Summary: Stephen Corn d.b.a. Steve's Pallets (Respondent) operates a Materials Recovery Facility on Freys Drive in Spartanburg, South Carolina (Parcel #1 and Parcel #2), and has violated the South Carolina Solid Waste Policy and Management Act of 1991 and Regulation 61-107.19, Part I, A.8., as follows: by failing to demonstrate that at least seventy-five percent (75%) by weight of the materials received at the Site during the previous calendar year had been used, reused, recycled or transferred to a different site for use, reuse, or recycling, the Respondent does not qualify as a Materials Recovery Facility, and the activities at the Site constitute open dumping.

Action: The Respondent is required to: immediately cease accepting materials to be recycled at Parcel #2 until at least 75% by weight of the materials received during the previous calendar year have been recovered; dispose of all wooden pallets, wooden transfer boxes, C&D debris, and other wood waste from Parcel #1 at a permitted facility and submit disposal receipts; dispose of or use, reuse, or recycle all wooden pallets and wooden boxes on Parcel #2 and submit proof of the destination; and, pay a civil penalty in the amount of one thousand, three hundred and twenty-five dollars (**\$1,325.00**).

21)	<u>Order Type and Number:</u>	Consent Order 10-13-SW
	<u>Order Date:</u>	July 27, 2010
	<u>Respondent:</u>	<b>Sumter County</b>
	<u>Facility:</u>	Sumter County Class Two Landfill
	<u>Location/Mailing Address:</u>	2185 East Brewington Rd., Sumter, SC 29150/1289 North Main St., Sumter, SC 29150
	<u>County:</u>	Sumter
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	431001-1203
	<u>Violations Cited:</u>	South Carolina Solid Waste Policy and Management Act of 1991, as amended, Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation 61-107.19, Part IV.A.4., Part IV C.1.a., and b., Part IV C.3.a., and b., Regulation 61- 107.3.E.4.; as amended, and Permit Number 431001-1203, Special Condition A.3.

Summary: Sumter County (Respondent) owns and is responsible for the Class Two Landfill, located in Sumter County. The Respondent has violated the South Carolina Solid Waste Policy and Management Act of 1991, as amended, Solid Waste Management: 61-107.19, Part IV.A.4., Part IV C.1.a., and b., Part IV C.3.a., and b.; Regulation 61-107.3.E.4.; as amended; and, Permit Number 431001-1203, Special Condition A.3 as follows: disposed of unauthorized electronic waste in the working face of the Landfill; failed to implement a

program to detect and prevent the disposal of unauthorized electronic waste; disposed of whole waste tires; and, failed to remove all unauthorized waste for proper disposal at a permitted facility within thirty (30) days of receipt.

Action: The Respondent is required to: pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**). All violations were corrected prior to the issuance of the Order.

22) Order Type and Number: Consent Order 10-18-SW  
Order Date: July 22, 2010  
Respondent: **Frasier Composting**  
Facility: Frasier Composting  
Location/Mailing Address: 782 Kent Road  
Georgetown, SC 29440  
County: Georgetown County  
Previous Orders: None  
Permit/ID Number: Registration # 222679-3001  
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, as amended, Solid Waste Management: Yard Trash and Land-Clearing Debris; and Compost Regulation 61-107.4.F.12.a. and Registration # 222679-3001.

Summary: Frasier Composting (Respondent), is located in Georgetown, South Carolina, and is a composting and woodgrinding facility. The Respondent has violated the South Carolina Solid Waste Policy and Management Act of 1991, as amended, Solid Waste Management: Yard Trash and Land-Clearing Debris; and Compost Regulation 61-107.4.F.11.b. as follows: failure to submit the Composting/Woodgrinding Annual Report (Annual Report) for fiscal year 2009 by the deadline of October 2009.

Action: The Order requires the Respondent to submit the Annual Report, and pay a civil penalty of five hundred dollars (**\$500.00**).

23) Order Type and Number: Consent Order 10-27-SW  
Order Date: July 29, 2010  
Respondent: **Jose Portillo and A&C Trash Removal & Hauling, Inc.**  
Facility: N/A  
Location/Mailing Address: 128 Spears Creek Church Lane,  
Elgin, South Carolina 29045  
County: Richland  
Previous Orders: None  
Permit/ID Number: None

Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, as amended, and Solid Waste Management: Solid Waste Landfills and Structural Fill, 25A S.C. Code Ann. Reg. 61-107.19, Part I, A.8., and Reg. 61-107.19, Part IV, A.3.

Summary: Jose Portillo (Respondent) owns the property on Spears Creek Church Lane in Elgin, South Carolina and operates a pine straw business. A&C Trash Removal & Hauling, Inc. (Respondent) is in the business of removing construction and demolition (C&D) debris. The Respondents have violated the South Carolina Solid Waste Policy and Management Act of 1991, and Regulation 61-107.19, Part I, A.8., and Reg. 61-107.19, Part IV, A.3. as follows: open dumping of waste tires, land-clearing debris (LCD), C&D debris, and partial burial of the LCD and C&D debris at the Site.

Action: The Respondents are required to: implement measures to control erosion and prevent the contribution of sediment to the stream at the rear of the property; dispose of all solid waste at a permitted facility; submit disposal receipts; upon completion of the waste removal and prior to sloping, contact the Department's Region 3 Environmental Quality Control office for an inspection; and upon the Department's written approval of the cleanup of the Site, slope the area to promote positive drainage, and sow grass to control erosion; and, pay a civil penalty in the amount of six hundred sixty dollars (**\$660.00**) in accordance with a Promissory Note.

24) Order Type and Number: Consent Order 10-01-MSWM  
Order Date: July 1, 2010  
Respondent: **Andrew Newsom d.b.a. Newsom Hauling**  
Facility: Newsom Hauling  
Location/Mailing Address: Highway 151, Hartsville, SC 29550/  
1915 South Fifth Street  
Hartsville, SC 29550  
County: Darlington  
Previous Orders: None  
Permit/ID Number: None  
Violations Cited: South Carolina Mining Act (Act), as amended, S.C. Code Ann. §§ 48-20-60 and 48-20-70.

Summary: Andrew Newsom d.b.a. Newsom Hauling (Respondent) conducted mining activities in Hartsville, South Carolina, and has violated the South Carolina Mining Act as follows: failure to obtain a permit from the Department prior to conducting mining activities.

Action: The Respondent is required to: complete reclamation of the unpermitted mine in accordance with the South Carolina Mining Act and the

reclamation plan outlined in the Order and pay a civil penalty of one thousand dollars (**\$1,000.00**).

25) Order Type and Number: Consent Order 10-24-SW  
Order Date: August 6, 2010  
Respondent: **Sandlands C&D, LLC**  
Facility: Sandlands Class Two Landfill  
Location/Mailing Address: 927 East, Highway 378  
Brittons Neck, South Carolina,  
29546  
County: Marion  
Previous Orders: None  
Permit/ID Number: 342729-1201  
Violations Cited: South Carolina Solid Waste Policy  
and Management Act of 1991, as amended, Solid Waste Management:  
Solid Waste Landfills and Structural Fill, Regulation 61-107.19, Part IV,  
Section C.7. and Permit #342729-1201.

Summary: Sandlands C&D, LLC (Respondent) owns and operates a Class Two Landfill located in Marion County, South Carolina. The Respondent violated the South Carolina Solid Waste Policy and Management Act and the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation for failure to repair areas of erosion on slopes at the Landfill and provide proper cover.

Action: The Respondent is required to: repair all areas of erosion on the east and south slopes of Cell 3-A, ensuring that no waste remains exposed by September 6, 2010; ensure that the inactive areas of Cell 3-A are covered with at least six (6) inches of soil; contact the Department's Region 4 Environmental Quality Control Office for a final inspection and approval of the repairs completed at the Landfill; and, pay a civil penalty in the amount of four thousand five hundred dollars (**\$4,500.00**).

26) Order Type and Number: Consent Order 10-33-SW  
Order Date: August 6, 2010  
Respondent: **Frank Capps, Jr., Individually,  
and d.b.a. Capps Brothers  
Contracting and/or Capps  
Brothers Mulch**  
Facility: Capps Mulch Yard  
Location/Mailing Address: 19665 Asheville Hwy., Landrum,  
SC/P.O. Box 70, Landrum, SC  
29356  
County: Spartanburg

Previous Orders: None  
Permit/ID Number: N/A  
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, as amended, Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation 61-107.19, Part I.A.8. and Solid Waste Management: Yard Trash and Land-Clearing Debris; and Compost Regulation 61-107.4, Section C.2., as amended.

Summary: Frank Capps, Jr., Individually, and d.b.a. Capps Brothers Contracting and/or Capps Brothers Mulch (Respondent) owns a composting/wood chipping facility in Spartanburg, South Carolina. The Respondent has violated: the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, in that the Respondent engaged in open dumping on the Site; and, the Solid Waste Yard Trash and Land-Clearing Debris; and Compost Regulation, in that the Respondent operated a composting/wood chipping facility without a registration from the Department.

Action: The Respondent is required to pay a civil penalty in the amount of three thousand, five hundred dollars (**\$3,500.00**). All debris was removed from the facility prior to the issuance of the Order.

## **BUREAU OF WATER**

### **Drinking Water Enforcement**

27) Order Type and Number: Consent Order 10-055-DW  
Order Date: July 9, 2010  
Respondent **Great Falls Mart, LLC**  
Facility: Great Falls Mart  
Location/Mailing Address: 1715 Cavendale Drive  
Rock Hill, S.C. 29732  
County: Chester  
Previous Orders: None  
Permit/ID Number: 1270213  
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.7

Summary: Great Falls Mart, 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: the wellhead was rusted; the air vent was deficient; the well did not have a pollution free radius of one hundred (100) feet; the well house was not secured and locked; the PWS

exceeded the maximum contaminant level (MCL) for total coliform and E. coli; records for valve/hydrant maintenance, leak detection and repair, and monitoring were not available for review; and a system map was not available for review.

Action: The Respondent is required to: correct all of the deficiencies; submit a corrective action plan addressing the MCL exceedances and the pollution free radius of one hundred (100) feet; 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 10-057-DW  
Order Date: July 27, 2010  
Respondent: **Harmon Tree Farm, LLC**  
Facility: Harmon Tree Farm  
Location/Mailing Address: 3152 Augusta Hwy  
Gilbert, S.C. 29054  
County: Lexington  
Previous Orders: None  
Permit/ID Number: 3270969  
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.5(B)(2)(h)

Summary: Harmon Tree Farm, 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 nitrate.

Action: The Respondent is required to: submit for approval a corrective action plan with a detailed schedule of implementation and completion to include steps to resolve the nitrate MCL exceedance 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.

29) Order Type and Number: Consent Order 10-058-DW  
Order Date: July 27, 2010  
Respondent: **Jenkinsville Water Company, Inc.**  
Facility: Jenkinsville Water Company, Inc.  
Location/Mailing Address: 12924 Hwy 213  
Jenkinsville, S.C. 29065  
County: Fairfield  
Previous Orders: None  
Permit/ID Number: 2020001

Violations Cited:  
58.5(H)

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

Summary: Jenkinsville Water Company, 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 uranium.

Action: The Respondent is required to: submit for approval a corrective action plan with a detailed schedule of implementation and completion to include steps to resolve the uranium MCL exceedance 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.

30) Order Type and Number: Consent Order 10-056-DW  
Order Date: August 11, 2010  
Respondent: **Southwood Realty Company**  
Facility: Westgate Apartments  
Location/Mailing Address: 430 E. Blackstock Rd., Spartanburg,  
SC 29301/165 South York Street  
Gastonia, NC 28053  
County: Spartanburg  
Previous Orders: None  
Permit/ID Number: 42-078B  
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(J)

Summary: Southwood Realty Company (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: two approvable “shallow water – no diving” signs were not posted; two approvable “no lifeguard on duty – swim at your own risk” signs were not posted; the gate was not self latching; the required pool rules sign was incomplete; the pool operator of record information was not posted; and the disinfection equipment was not operating properly.

Action: The Respondent is required to: correct all deficiencies; properly operate and maintain the pool; and pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**). The penalty has been paid.

31) Order Type and Number: Consent Order 10-059-DW  
Order Date: August 11, 2010  
Respondent: **Francis Allred, Individually  
and d.b.a Sunny Acres MHP**

Facility: Sunny Acres  
Location/Mailing Address: 224 Shepard Drive  
Edgefield, S.C. 29824  
County: Edgefield  
Previous Orders: None  
Permit/ID Number: 26912-WS  
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.1(B)(8)

Summary: Francis Allred (Respondent), Individually and d.b.a. Sunny Acres MHP is responsible for the proper permitting and construction of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to obtain a follow-up construction permit from the Department prior to the construction of drinking water distribution lines.

Action: The Respondent is required to: remove all un-permitted drinking water distribution lines from the site and obtain from the Department the required permit for the installation of the permanent pump, well head piping, storage tank and distribution system; pay a civil penalty in the amount of one thousand dollars (\$1,000.00); and, pay a stipulated penalty in the amount of three thousand dollars (\$3,000.00) should the Respondent fail to meet any requirement of the Order. The civil penalty has been paid.

32) Order Type and Number: Consent Order 10-060-DW  
Order Date: August 6, 2010  
Respondent: **Duncan Environmental Associates, Inc.**  
Facility: Crossroads Grocery & Cafe  
Location/Mailing Address: 10817C Two Notch Road  
Elgin, S.C. 29045  
County: Richland  
Previous Orders: None  
Permit/ID Number: 12033  
Violations Cited: 25 S.C. Code Ann. Regs. 61-71(H)(2)(a)(4)

Summary: Duncan Environmental Associates, Inc. (Respondent) is responsible for the proper installation of monitoring wells at the Crossroads Grocery & Cafe. The Respondent has violated the South Carolina Well Standards & Regulations as follows: the Respondent failed to use forced injection to emplace the grout during the installation of four (4) monitoring wells.

Action: The Respondent is required to: properly abandon and replace the improperly grouted monitoring wells and pay a civil penalty in the amount of one thousand eight hundred dollars (\$1,800.00). The civil penalty has been paid.



33) Order Type and Number: Consent Order 10-061-DW  
Order Date: August 20, 2010  
Respondent: **Nathaniel Prezzy, Individually  
and d.b.a. Prezzy's MHP**  
Facility: Prezzy's MHP  
Location/Mailing Address: 136 Noble Court  
Holly Hill, S.C. 29059  
County: Orangeburg  
Pervious Orders: 07-082-DW (\$4,000.00 stipulated)  
Permit/ID Number: 3860018  
Violations Cited: 24A S.C. Code Ann. Regs. 61-58.7

Summary: Nathaniel Prezzy (Respondent), Individually and d.b.a. Prezzy's MHP 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: there was no well yield data available to calculate the reliable capacity and the quantity of source water accessible to meet the demand at all times; the relationship of Well #1 to the current distribution system (Well #2) was unknown; the flushing program, system map, emergency plan, and procedures manual were incomplete; and the monitoring/record keeping program was not available for review.

Action: The Respondent is required to: permanently disconnect Well #2 and the storage tank from all of the residences except one (1); permanently disconnect Well #1 from all of the residences and the storage tank and contact the Department to verify proper completion of the disconnection; either obtain from the Department a permit and an approval to operate Well #1 to serve only the church, or permanently disconnect Well #1 from the church it serves; have the well properly abandoned by a S.C. licensed well driller; submit a well close out log and contact the Department to verify proper abandonment; and, pay a **stipulated penalty** in the amount of ten thousand dollars (**\$10,000.00**) should the Respondent fail to meet any requirement of the Order.

34) Order Type and Number: Consent Order 10-062-DW  
Order Date: August 11, 2010  
Respondent: **The Archibald Rutledge  
Academy, Inc.**  
Facility: Archibald Rutledge Academy  
Location/Mailing Address: 1011 Old Cemetery Road  
McClellanville, S.C. 29458  
County: Charleston  
Previous Orders: None  
Permit/ID Number: 1070140

Violations Cited:

24A S.C. Code Ann. Regs. 61-58.7

Summary: The Archibald Rutledge Academy, 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 for failure to properly operate and maintain the PWS as follows: there was no valve maintenance program, flushing program, leak detection and repair program, system map, sample siting plan, or procedures manual available for review; and no certified distribution operator.

Action: The Respondent is required to: correct all of the deficiencies; pay a civil penalty in the amount of five thousand four hundred dollars (**\$5,400.00**); and, pay a stipulated penalty in the amount of five thousand four hundred dollars (\$5,400.00) should the Respondent fail to meet any requirement of the Order.

35) Order Type and Number: Consent Order 10-063-DW  
Order Date: August 20, 2010  
Respondent: **SAPNA & NISHA, INC.**  
Facility: Comfort Suites Simpsonville  
Location/Mailing Address: 3971 Grandview Drive  
Simpsonville, S.C. 29680  
County: Greenville  
Previous Orders: None  
Permit/ID Number: 23-1166B  
Violations Cited: 24A S.C. Code Ann. Regs. 61-51(K)(1)(vii) and (K)(1)(viii)

Summary: Sapna & Nisha, 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: failure to close the pool after identifying water quality violations in the swimming pool log book.

Action: The Respondent is required to: properly operate and maintain the pool and pay a civil penalty in the amount of three hundred twenty dollars (**\$320.00**).

**Water Pollution Enforcement**

36) Order Type and Number: Consent Order 10-032-W  
Order Date: July 13, 2010  
Respondent: **Textron, Inc.**

Facility: Textron, Inc. Groundwater Treatment System  
Location/Mailing Address: 307 South Buncombe Road  
Greer, S.C. 29650  
County: Greenville  
Previous Orders: None  
Permit/ID Number: SC0047988  
Violations Cited: S.C. Code Ann. §48-1-110(d)(2008);  
24 S.C. Code Ann. Regs. 61-9.122.41(a)(Supp. 2009)

Summary: Textron, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a groundwater treatment system associated with a prior manufacturing site. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation for reoccurring toxicity, resulting in several effluent limit violations.

Action: The Respondent is required to: submit a final action plan based upon conclusive findings of the Toxicity Identification Evaluation (TIE) with an implementation schedule for eliminating the source or sources of toxicity; submit progress reports; and, pay a civil penalty in the amount of six thousand four hundred dollars (**\$6,400.00**).

37) Order Type and Number: Consent Order 10-033-W  
Order Date: July 15, 2010  
Respondent: **Fairfield Healthcare**  
Facility: Fairfield Healthcare WWTF  
Location/Mailing Address: 117 Bellfield Road  
Ridgeway, S.C. 29130  
County: Fairfield  
Previous Orders: None  
Permit/ID Number: ND0067008  
Violations Cited: S.C. Code Ann. §48-1-110(d)(2008);  
24 S.C. Code Ann. Regs. 61-9, Part B, 122.21(d)(2) (Supp. 2009)

Summary: Fairfield Healthcare (Respondent) owns and is responsible for the proper operation and maintenance of a Wastewater Treatment Facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation by failing to submit a timely renewal application to allow for re-issuance of the Land Application Discharge Permit prior to its expiration date.

Action: The Respondent is required to: continue to operate the WWTF in accordance with the most recently issued Permit until a new one becomes effective; and, pay a civil penalty in the amount of five hundred twenty-five dollars (**\$525.00**).

38) Order Type and Number: Consent Order 10-034-W  
Order Date: July 15, 2010  
Respondent: **United Utility Companies, Inc.**  
Facility: Briarcreek SD WWTF #1  
Briarcreek SD WWTF #2  
Location/Mailing Address: 331 Killion Dr., Gaffney, SC  
(#1)/110 Queen Pkwy, West  
Columbia, SC (#2)/P.O. Box 4509  
West Columbia, SC 29171  
County: Cherokee/Lexington  
Previous Orders: None  
Permit/ID Number: SC0023736 and SC0026409  
Violations Cited: S.C. Code Ann. §§ 48-1-90(a), 48-1-110(d) (2008); S.C. Reg. 61-9.122.41 (a) and (e) (Supp. 2009)

Summary: United Utility Companies, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the Briarcreek Subdivision wastewater treatment facility #1 and #2. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to properly operate and maintain wastewater treatment systems and components at all times in accordance with its National Pollutant Discharge Elimination System Permit and discharged partially treated sewage into the environment, including waters of the State, in a manner other than in compliance with a permit issued by the Department.

Action: The Respondent is required to: submit an updated Operation and Maintenance manual to include procedures for operating the new sludge holding tanks and to assure solids levels are within optimum range to provide adequate treatment and comply with the effluent limitations; complete construction upgrades to add sludge holding tanks to both facilities and request Approval to Place into Operation; and, pay a civil penalty in the amount of twenty-nine thousand two hundred dollars (**\$29,200.00**).

39) Order Type and Number: Consent Order 10-035-W  
Order Date: July 15, 2010  
Respondent: **City of West Columbia**  
Facility: City of West Columbia WWCS  
Location/Mailing Address: 200 N 12<sup>th</sup> St., West Columbia, SC  
29169/P.O. Box 4044, West  
Columbia, SC 29171  
County: Lexington  
Previous Orders: None  
Permit/ID Number: SSS000601  
Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008)

Summary: The City of West Columbia (Respondent) owns and is responsible for the proper operation and maintenance of a Wastewater Collection System (WWCS) and a Water Treatment Plant (WTP). The Respondent has violated the Pollution Control Act by discharging the contents of a vacuum truck, consisting of wastewater from its WWCS and alum sludge from its WTP 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 corrective action plan outlining actions that will be taken to avoid future violations and discharges, and steps that will be taken to properly contain and dispose of waste should similar situations occur in the future; and, pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

40) Order Type and Number: Consent Order 10-036-W  
Order Date: July 30, 2010  
Respondent: **Pickens County Public Service Commission**  
Facility: Eighteen Mile Creek Upper Regional Wastewater Treatment Facility  
Location/Mailing Address: 151 Clearwater Dr.  
Liberty, SC 29657  
County: Pickens  
Previous Orders: None  
Permit/ID Number: SC0003042  
Violations Cited: S.C. Code Ann. § 48-1-110(d) (2008); S.C. Reg. 61-9.122.41 (a) and (e) (Supp. 2009)

Summary: Pickens County Public Service Commission (Respondent) owns and is responsible for the proper operation and maintenance of the Eighteen Mile Creek Upper Regional Wastewater Treatment Facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation by failing to comply with the effluent limits for ammonia-nitrogen contained in its National Pollutant Discharge Elimination System Permit issued by the Department.

Action: The Respondent is required to: submit an updated Operation and Maintenance Manual to include sludge handling procedures that will assure proper levels are maintained to provide adequate treatment during summer and winter months; and pay a civil penalty in the amount of one thousand seven hundred dollars (**\$1,700.00**).

- 41) Order Type and Number: Consent Order 10-038-W  
Order Date: August 6, 2010  
Respondent: **Next Door, LLC**  
Facility: Rock Springs Patio Homes  
Location/Mailing Address: 103 Ashton Court  
Easley, SC 29642  
County: Pickens  
Previous Orders: None  
Permit/ID Number: SCR10D049  
Violations Cited: S.C. Code Ann. § 48-1-90(a) (2008);  
and, 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e) (Supp. 2009).

Summary: Next Door, LLC (Respondent) owns and is responsible for land-clearing and construction activity associated with the Rock Springs Patio Homes. 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 in accordance with the Department approved Site plan, and allowed the discharge of sediment into the environment, including waters of the State, in a manner other than in compliance with a permit issued by the Department.

Action: The Respondent is required to: submit an engineer's report certifying the installation and operation of all storm water controls; pay a civil penalty in the amount of two thousand five hundred dollars (**\$2,500.00**); and, pay a suspended penalty in the amount of sixteen thousand seven hundred dollars (\$16,700.00) should the Respondent fail to comply with the terms and conditions of the Order.

- 42) Order Type and Number: Consent Order 10-039-W  
Order Date: August 30, 2010  
Respondent: **City of York**  
Facility: Fishing Creek WWTF  
Location/Mailing Address: P.O. Box 500  
York, S.C. 29745  
County: York  
Previous Orders: None  
Permit/ID Number: SC0038156  
Violations Cited: S.C. Code Ann. §48-1-110(a)(1) and  
(d) (2008); 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(Supp. 2009);  
S.C. Code Ann. Regs. 61-67.100(E)(7) and .300(A)(1) (Supp. 2008)

Summary: The City of York (Respondent) owns and is responsible for the proper operation and maintenance of the Fishing Creek Wastewater Treatment Facility (WWTF) and Wastewater Collection System. The Respondent failed to

consistently comply with permitted effluent limitations for fecal coliform as contained in its National Pollutant Discharge Elimination System Permit. The Respondent also constructed an upgrade of a wastewater pump station without obtaining a Department permit to construct and placed it into operation without approval.

Action: The Respondent is required to: submit a corrective action plan (CAP) to identify and address all issues relating to maintaining effluent quality; and, pay a civil penalty in the amount of five thousand one hundred dollars (**\$5,100.00**).

43) Order Type and Number: Consent Order 10-041-W  
Order Date: August 23, 2010  
Respondent: **High Hills Rural Water Company, Inc.**  
Facility: Harwood MHP WWTF  
Location/Mailing Address: 2720 Peach Orchard Road  
Dalzell, S.C. 29040  
County: Sumter  
Previous Orders: None  
Permit/ID Number: SC0031704  
Violations Cited: S.C. Code Ann. § 48-1-110 (d) (2008); and 24 S.C. Code Ann. Regs. 61-9.122.41(j)(3) and (l)(4) (Supp. 2009)

Summary: High Hills Rural Water Company, Inc. (Respondent), owns and is responsible for the 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 submit administratively complete discharge monitoring reports (DMRs) as required by its National Pollutant Discharge Elimination System Permit.

Action: The Respondent is required to: submit a Standard Operating Procedure (SOP) manual to ensure the submission of properly completed DMRs; submit the DMRs for May and October 2009, and January through March 2010 monitoring periods; pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**); and, pay a stipulated penalty in the amount of one thousand dollars (\$1,000.00) per month for each Discharge Monitoring Report the Department has to return for correction until the Order is closed.

### **BUREAU OF AIR QUALITY**

44) Order Type and Number: Consent Order 10-038-A

Order Date: July 2, 2010  
Respondent: **F N Manufacturing, LLC**  
Facility: F N Manufacturing, LLC  
Location/Mailing Address: 797 Old Clemson Road  
Columbia, S.C. 29224  
County: Richland  
Previous Orders: None  
Permit/ID Number: CM-1900-0052  
Violations Cited: U.S. EPA 40 CFR 63.7(a)(2)(ix) and 63.343(b)(1), S.C. Code Ann. § 48-1-110(d), and South Carolina Air Pollution Control Regulation 61-62.63, Subpart N.

Summary: F N Manufacturing, LLC (Respondent), located in Columbia, South Carolina, owns and operates a weapons manufacturing facility. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-1900-0052 to the Respondent, effective March 3, 2001. The Respondent violated U.S. EPA, South Carolina Air Pollution Control Regulations, and its Permit as follows: failed to conduct a source performance test on the control device of a new hard chrome plating line within 180 days from initial startup.

Action: The Respondent is required to: conduct source performance tests in accordance with the applicable Permit and regulatory requirements; and, pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**).

45) Order Type and Number: Consent Order 10-041-A  
Order Date: July 9, 2010  
Respondent: **Southern Milling & Lumber, Inc**  
Facility: Southern Milling & Lumber, Inc.  
Location/Mailing Address: 366 Bridal Wreath Dr., St. Matthews, SC 29135/P.O. Box 1767, Lakeland, FL 33802  
County: Calhoun  
Previous Orders: None  
Permit/ID Number: 0460-0028  
Violations Cited: Pollution Control Act and South Carolina Air Pollution Control Regulation 61-62.5, Standard No.2 and Standard No. 7

Summary: Southern Milling & Lumber, Inc.(Respondent), located in St. Matthews, South Carolina, specializes in manufacturing wooden pallets and specialty packaging. The Respondent has violated the Pollution Control Act as follows: failed to notify the Department within 24 hours of its equipment malfunctions and resulting excess emissions; failed to submit a written report within 30 days of its equipment malfunction and resulting excess emissions; failed to maintain all records on-site for a period of at least 5 years from the date



generated; failed to properly control fugitive emissions from its processes; failed to install pressure drop gauges on a baghouse; failed to record daily pressure drop readings of the baghouse; failed to perform and record weekly operation and maintenance checks on a baghouse; failed to operate the baghouse while the equipment or processes were operating. The Respondent violated the Pollution Control Act and South Carolina Air Pollution Control Regulation 61-62.5, Standard No. 2 in that it exceeded the annual average for Total Suspended Particulate (TSP) and the 24-hour average for Particulate Matter (PM) and Standard No. 7 in that it exceeded the 24-hour average for PM.

Action: The Respondent is required to: ensure that all applicable control equipment is in operation while the equipment or processes are in operation; comply with Standard No. 2 and Standard No. 7; conduct inspections and maintenance checks and keep records on all applicable equipment as required by its Permit; and, pay a civil penalty in the amount of twelve thousand, eight hundred dollars (**\$12,800.00**) in five installments.

46) Order Type and Number: Consent Order 10-042-A  
Order Date: July 15, 2010  
Respondent: **Mr. Bill Green d/b/a BG Landscaping**  
Facility: Mr. Bill Green d/b/a BG Landscaping  
Location/Mailing Address: 8043 Oakville Road  
Hollywood, S.C. 29449  
County: Charleston  
Previous Orders: None  
Permit/ID Number: N/A  
Violations Cited: South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning.

Summary: Mr. Bill Green d/b/a BG Landscaping (Respondent) owns and operates BG Landscaping located in Hollywood, South Carolina (Site). The Respondent violated the South Carolina Air Pollution Control Regulations as follows: burned land-clearing debris that was moved to the Site from another location; and, burned materials prohibited by the regulations.

Action: The Respondent is required to: cease open burning except as in compliance with regulations; pay a civil penalty in the amount of six hundred thirty dollars (**\$630.00**); and, pay a suspended penalty in the amount of five thousand six hundred seventy dollars (\$5,670.00) should the Respondent fail to meet any requirement of the Order.

47) Order Type and Number: Consent Order 10-043-A

Order Date: July 15, 2010  
Respondent: **Richardson Contracting, Inc.**  
Facility: Briargate Condominiums  
Location/Mailing Address: 85 Menlo Dr., Columbia, SC/2341  
Dutch Fork Rd., Chapin, S.C. 29036  
County: Richland  
Previous Orders: None  
Permit/ID Number: N/A  
Violations Cited: U.S. EPA Regulations 40 CFR Part 61.145 and 61.150; and South Carolina Air Pollution Control Regulation 61-86.1, Sections IV, V, VIII, and X.

Summary: Richardson Contracting, Inc. (Respondent) is a general construction contractor responsible for the renovation activities at Briargate Condominiums located in Columbia, South Carolina. The Respondent violated U.S. EPA Regulations at 40 CFR Part 61, and South Carolina Air Pollution Control Regulations as follows: failed to ensure that a building inspection was performed prior to beginning renovation activities; failed to submit a written notice of intent to renovate to the Department; failed to ensure that all asbestos-containing materials were removed in accordance with the applicable work practice requirements; failed to ensure that all asbestos-containing materials were properly disposed of; failed to obtain a Department-issued asbestos project license prior to beginning a renovation project; and, failed to use workers licensed by the Department while engaged in an asbestos project.

Action: The Respondent is required to: ensure that a building inspection is performed prior to engaging in any future renovation or demolition operations; submit all applicable notifications to the Department in accordance with the state and federal regulations; ensure that required Department-issued licenses are obtained prior to engaging in an asbestos project; cease all projects unless licensed by the Department to do so; pay a civil penalty in the amount of one thousand, two hundred dollars (**\$1,200.00**); and, pay a suspended penalty in the amount of ten thousand, eight hundred dollars (\$10,800.00) should the Respondent fail to meet the requirements of the Order.

48) Order Type and Number: Consent Order 10-045-A  
Order Date: July 29, 2010  
Respondent: **CMM Realty, Inc.**  
Facility: Briargate Condominiums  
Location/Mailing Address: 85 Menlo Dr., Columbia, SC/700  
Wheat Street, Columbia, S.C. 29201  
County: Richland  
Previous Orders: None  
Permit/ID Number: N/A

Violations Cited: U.S. EPA Regulations 40 CFR Part 61.145; and South Carolina Air Pollution Control Regulation 61-86.1, Sections V and X.

Summary: CMM Realty, Inc. (Respondent), located in Columbia, South Carolina, is a real estate management company that manages the Briargate Condominiums located in Columbia, South Carolina. The Respondent violated U.S. EPA Regulations at 40 CFR Part 61, and South Carolina Air Pollution Control Regulations as follows: failed to ensure that a building inspection was performed prior to beginning renovation and demolition activities; failed to submit a written notice of intent to renovate and demolish to the Department; failed to obtain a Department-issued asbestos project license prior to beginning a renovation project; and, failed to ensure that each worker and supervisor met the applicable training and licensing requirements.

Action: The Respondent is required to: ensure that a building inspection is performed prior to engaging in any future renovation or demolition operations; submit all applicable notifications to the Department in accordance with the state and federal regulations; ensure that required Department-issued licenses are obtained prior to engaging in an asbestos project; ensure that each worker and supervisor meet the applicable training and licensing requirements for future abatement projects; submit to the Department waste shipment records for the disposal of RACM reported during the third and fourth quarters of 2009; and, pay a penalty in the amount of seven thousand, six hundred dollars (**\$7,600.00**).

49) Order Type and Number: Consent Order 10-046-A  
Order Date: August 3, 2010  
Respondent: **3V Inc.**  
Facility: 3V Inc.  
Location/Mailing Address: 888 Woodstock Street  
Georgetown, S.C. 29442  
County: Georgetown  
Previous Orders: None  
Permit/ID Number: TV-1140-0031  
Violations Cited: U.S. EPA 40 CFR 63, Subpart UU;  
South Carolina Air Pollution Control Regulation 61.62.63; and S.C. Code  
Ann. Section 48-1-110(d).

Summary: 3V, Inc. (Respondent) operates a batch chemical manufacturing facility in Georgetown, South Carolina. The Department issued Title V Air Quality Operating Permit TV-1140-0031 to the Respondent effective July 1, 2008. The Respondent violated EPA regulations at 40 CFR 63, subpart UU and the South Carolina Air Pollution Control Regulations in that it failed to perform leak detection monitoring of equipment and that it failed to perform

repairs to resolve detected leaks within the timeframes established by the regulations.

Action: The Respondent is required to pay a civil penalty in the amount of seven thousand, five hundred dollars (**\$7,500.00**).

50) Order Type and Number: Consent Order 10-047-A  
Order Date: August 20, 2010  
Respondent: **F & R Asphalt, Inc.**  
Facility: F & R Asphalt, Inc.  
Location/Mailing Address: 2250 Ballenger Rd., Lyman, SC  
29365 / P.O. Box 282, Easley, SC  
29641  
County: Spartanburg  
Previous Orders: None  
Permit/ID Number: 9900-0090  
Violations Cited: U.S. EPA Regulations at 40 CFR 60, Standards Of Performance For New Stationary Sources, Subpart I - Standards Of Performance For Asphalt Concrete Plants, and South Carolina Air Pollution Control Regulation 61-62.60, South Carolina Designated Facility Plan and New Source Performance Standards, Subpart I - Standards of Performance for Asphalt Concrete Plants; South Carolina Air Pollution Control Regulation 61-62.5, Standard No. 4, Emissions from Process Industries; South Carolina Air Pollution Control Regulation 61-62.1, Section II, Permit Requirements; and the Pollution Control Act.

Summary: F & R Asphalt, Inc. (Respondent) owns and operates a hot mix asphalt plant located in Lyman, South Carolina. On February 1, 2007, the Department issued General Conditional Major Operating Permit for Hot Mix Asphalt Plants GCMP-03-9900-0090. The Respondent violated U.S. EPA Regulations at 40 CFR 60, South Carolina Air Pollution Control Regulations, and its permit as follows: failure to limit opacity; failure to comply with particulate matter (PM) emission limit during a source test; and failure to submit an excess emission report regarding the opacity issue.

Action: The Respondent is required to: comply with the opacity limit; comply with the PM emission limit; and, pay a civil penalty in the amount of nine thousand, three hundred twenty-five dollars (**\$9,325.00**).

51) Order Type and Number: Consent Order 10-048-A  
Order Date: August 13, 2010  
Respondent: **Carlisle Finishing, LLC**  
Facility: Carlisle Finishing, LLC

Location/Mailing Address: 3863 Carlisle Chester Highway,  
Carlisle, SC 29031 / P.O. Box 8,  
Carlisle, SC 29031

County: Union

Previous Orders: none

Permit/ID Number: 2180-0003

Violations Cited: U.S. EPA Regulations at 40 CFR 63,  
and South Carolina Air Pollution Control Regulation 61-62.63, National  
Emission Standards For Hazardous Air Pollutants For Source Categories,  
Subpart OOOO - National Emission Standards For Hazardous Air  
Pollutants: Printing, Coating, And Dyeing Of Fabrics And Other Textiles  
(collectively Subpart OOOO), and Subpart A - General Provisions  
(collectively Subpart A); and the Pollution Control Act.

Summary: Carlisle Finishing, LLC (Respondent), owns and operates a textile finishing mill that prints, dyes, and finishes apparel and home furnishing fabrics, and is located in Carlisle, South Carolina. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-2180-0003 (Title V Permit) to the Respondent, effective January 1, 2010. The Respondent violated its Title V Permit, Subpart OOOO, and Subpart A as follows: failure to submit two Notifications of Compliance Status (NOCSs) attesting to whether it had complied with the relevant standards; failure to submit semiannual compliance reports for seven semiannual periods; failure to record pressure drop readings on each of its multiclones daily; failure to record daily inspection and regular cleaning or replacement of its lint collection system; and failure to maintain on-site all records required to demonstrate compliance with the limits established under the Title V Permit, and make these records available to the Department upon request.

Action: The Respondent is required to: record daily pressure drop readings; record daily inspection and regular cleaning or replacement of the lint collection system; maintain records to demonstrate compliance with the Title V limits; submit the two NOCSs; submit the semiannual compliance reports; include in its Title V Annual Compliance Certification for the reporting period ending December 31, 2010, all deviations that occurred during the reporting period; and, pay a civil penalty in the amount of ten thousand, five hundred dollars (**\$10,500.00**).

52) Order Type and Number: Consent Order 10-049-A

Order Date: August 20, 2010

Respondent: **Federal-Mogul Corporation**

Facility: Federal-Mogul Corporation

Location/Mailing Address: 9104 Alex Harvin Highway  
Summerton, SC 29148

County: Clarendon

Previous Orders: N/A

Permit/ID Number: 0680-0021  
Violations Cited: U.S. EPA Regulations 40 CFR Part 63.9 and 60.343; South Carolina Air Pollution Control Regulation 61-62.63 and 61-62.70.6; and S.C. Code Ann. § 48-1-110(d)

Summary: Federal-Mogul Corporation (Respondent) owns and operates an oil seal and gasket manufacturing facility. The Department issued Part 70 Title V Air Quality Operating Permit 0680-0021 to the Respondent, effective October 1, 2006. The Respondent violated U.S. EPA Regulations at 40 CFR Part 63, South Carolina Pollution Control Regulations, and the Pollution Control Act as follows: failed to operate Unit ID 05 (scrubber) within the operating parameter values established during the initial performance test; failed to submit a Notice of Compliance Status within 90 days of the performance test; and failed to accurately certify its compliance status in its Title V Annual Compliance Certification.

Action: The Respondent is required to: maintain compliance with the performance testing requirements; include deviations in its next Title V Annual Compliance Certification that accurately reflects the compliance status of the facility; maintain compliance with the operating ranges for the scrubber as established by Department-approved performance test and submit any subsequent Notice of Compliance Status by the deadline established by the relevant standard; and, pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**).

53) Order Type and Number: Consent Order 10-054-A  
Order Date: August 30, 2010  
Respondent: **Cherokee, Inc.**  
Facility: Cherokee, Inc.  
Location/Mailing Address: 6928 Cheval Street  
Columbia, SC 29209  
County: Richland  
Previous Orders: None  
Permit/ID Number: N/A  
Violations Cited: South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning..

Summary: Cherokee, Inc. (Respondent) is a general construction contractor. The Respondent violated the South Carolina Air Pollution Control Regulations as follows: burned land-clearing debris within 1000 feet from a public roadway and an adjacent residence.

Action: The Respondent is required to: cease open burning except as in compliance with the regulations; pay a civil penalty in the amount of six hundred dollars (**\$600.00**); and, pay a suspended penalty in the amount of five thousand,

four hundred dollars (\$5,400.00) should the Respondent fail to meet the requirements of the Order.

54) Order Type and Number: Consent Order 10-052-A  
Order Date: August 23, 2010  
Respondent: **Chester Wood Products LLC**  
Facility: Chester Wood Products LLC  
Location/Mailing Address: 1445 Lancaster Hwy  
Chester, SC 29706  
County: Chester  
Previous Orders: 06-032-A (\$9,000), 08-059-A  
(\$10,000), 09-070-A (\$6,000),  
10-040-A (\$37,500)  
Permit/ID Number: TV-0640-0013  
Violations Cited: S.C. Code Ann. § 48-1-90(a)

Summary: Chester Wood Products LLC (Respondent) owns and operates a softwood veneer and plywood manufacturing facility. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-0640-0013 to the Respondent, effective September 25, 2007. The Respondent violated its Permit as follows: exceeded its particulate matter (PM) emission limit during two Department-approved source tests.

Action: The Respondent is required to: comply with the PM emission limits of the Title V Permit and regulations; conduct a Department-approved source test on the hog fuel boiler no later than October 2, 2010, and semiannually thereafter; operate and maintain the pressure drop gauge on the multiclone and record the differential pressure across the multiclone; conduct annual personnel training for reading and recording the differential pressure readings on the multiclone; conduct annual multiclone inspections; install a parametric monitoring system on the venturi scrubber to continuously monitor the differential pressure across the scrubber and water flow rate to the scrubber; and, pay a civil penalty in the amount of twenty-five thousand dollars (**\$25,000.00**).