

EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
September 8, 2011

BUREAU OF LAND AND WASTE MANAGEMENT

UST Enforcement

- 1) Order Type and Number: Administrative Order 10-0003-UST
 Order Date: June 30, 2011
 Respondent: **Ernest O. Jordan**
 Facility: H&S Corner Store
 Location: 357 Wylie Park Road, Lancaster, SC
 29720
 Mailing Address: 1320 Cherry Road, Rock Hill, SC
 29732
 County: Lancaster
 Previous Orders: None
 Permit/ID Number: 17907
 Violations Cited: State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act) (Rev. 2002),
 Section 44-2-60(A) and the South Carolina Underground Storage Tank
 Control Regulation 61-92.280.93(a) and R.61-92.280.110 (Supp. 2010).

Summary: Ernest O. Jordan (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 demonstrate financial responsibility; failure to provide financial responsibility to the Department upon request; and, failure to pay annual underground storage tank registration fees.

Action: The Respondent is required to submit: proof of mechanism for financial responsibility and a completed Certificate of Financial Responsibility; payment of annual underground storage tank registration fees for fiscal years 2008, 2009, 2010 and 2011 in the amount of four hundred eighty-four dollars (\$484.00); and, a civil penalty in the amount of three thousand, one hundred dollars (**\$3,100.00**).

- 2) Order Type and Number: Administrative Order 10-0193-UST
 Order Date: June 14, 2011
 Respondent: **Josiah Fludd**
 Facility: Fort Motte Stop & Shop, LLC

Location: 525 Colonel Thomson Highway,
Fort Motte, SC 29135
Mailing Address: 332 Fort Motte Road, Fort Motte, SC
29135
County: Calhoun
Previous Orders: None
Permit/ID Number: 13859
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (Rev. 2002),
Section 44-2-60(A) and the South Carolina Underground Storage Tank
Control Regulation 61-92.280.93(a) and R.61-92.280.110 (Supp. 2010).

Summary: Josiah Fludd (Respondent) owns and operates underground storage tanks (USTs) in Calhoun County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to demonstrate financial responsibility; failure to provide financial responsibility to the Department upon request; and, failure to pay annual underground storage tank registration fees.

Action: The Respondent is required to submit: proof of mechanism for financial responsibility and a completed Certificate of Financial Responsibility; payment of annual underground storage tank registration fees for fiscal year 2011 in the amount of one hundred twenty-one dollars (\$121.00); and, a civil penalty in the amount of three thousand, one hundred dollars (**\$3,100.00**).

3) Order Type and Number: Administrative Order 10-0271-UST
Order Date: June 2, 2011
Respondent: **Northeast Real Property Holding
Charleston, LLC**
Facility: Dana Transportation
Location Address: 7117 Cross County Rd., Charleston,
SC
Mailing Address: P.O. Box 129, Demopolis, AL 36732
County: Charleston
Previous Orders: None
Permit/ID Number: 16846
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (Rev. 2002),
and the South Carolina Underground Storage Tank Control Regulation 61-
92.280.93(a), and R.61-92.280.110(c) (Supp. 2010).

Summary: Northeast Real Property Holding Charleston, LLC (Respondent) owns and operates underground storage tanks (USTs), located in Charleston, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide financial

responsibility for a UST system and failure to provide financial records to the Department upon request.

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

- 4) Order Type and Number: Consent Order 11-0006-UST
Order Date: July 8, 2011
Respondent: **Coley, Inc. and Eabar, LLC**
Facility: Center Express
Location Address: 300 Center St., Chester, SC
Mailing Address: 300 Center St., Chester, SC 29706
County: Chester
Previous Orders: None
Permit/ID Number: 02099
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (Rev. 2002), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.20(e), R.61-92.280.40(a), R.61-92.280.40(a)(2), and R.61-92.280.34(c) (Supp. 2010).

Summary: Coley, Inc. and Eabar, LLC (Respondents) own and operate underground storage tanks (USTs), located in Chester, South Carolina, and have violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install piping in accordance with manufacturer's instructions; failure to provide adequate release detection methods for an UST system; failure to properly maintain release detection equipment; and, failure to provide records upon request.

Action: The Respondents are required to: submit release detection records from January through October of 2010 or tank tightness test results or proof that the USTs have been emptied to less than one inch of residue; and, pay a civil penalty in the amount of one thousand, eight hundred twenty-five dollars (**\$1,825.00**) in accordance with the terms of a promissory note.

- 5) Order Type and Number: Consent Order 11-0010-UST
Order Date: July 8, 2011
Respondent: **Alton Koon/Sunhouse Petroleum, LLC**
Facility: Aynor Food & Gas
Location Address: 2875 Hwy. 501 E., Aynor, SC
Mailing Address: 1270 Burcale Rd., Myrtle Beach, SC 29579

County: Horry
Previous Orders: None
Permit/ID Number: 05153
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (Rev. 2002), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.40(a) and R.61-92.280.34(c) (Supp. 2010).

Summary: Alton Koon/Sunhouse Petroleum, LLC (Respondents) own and operate underground storage tanks (USTs), located in Aynor, South Carolina, and have violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide adequate release detection methods for an UST system; and, failure to provide records upon request.

Action: The Respondent is required to pay a civil penalty in the amount of six hundred dollars (**\$600.00**).

6) Order Type and Number: Consent Order 11-0020-UST
Order Date: July 22, 2011
Respondent: **Janak Amin**
Facility: Jones Crossroads Grocery
Location: 2520 Douglas Road, Lancaster, SC 29720
Mailing Address: 2520 Douglas Road, Lancaster, SC 29720
County: Lancaster
Previous Orders: None
Permit/ID Number: 05552
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (Rev. 2002), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.34(c) and R.61-92.280.40(a) (Supp. 2010).

Summary: Janak Amin (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 provide records to the Department upon request; and, failure to provide an adequate release detection method.

Action: The Respondent is required to submit: acceptable tank tightness, line tightness and line leak detector test results for the premium compartment of the 10,000-gallon UST or proof that the premium compartment contains less than one (1) inch of residue; Statistical Inventory Reconciliation (SIR) records for November 2009, April 2010, June 2010, July 2010 and October 2010 for the regular unleaded compartment of the 10,000-gallon UST or acceptable tank

tightness test results for the regular unleaded compartment or proof that the regular compartment contains less than one (1) inch of residue; and, a civil penalty in the amount of one thousand, one hundred dollars (**\$1,100.00**).

- 7) Order Type and Number: Consent Order 11-0026-UST
Order Date: July 8, 2011
Respondent: **Prashant Patel**
Facility: Deep Enterprise, LLC
Location: 238 N. Frasier St., Georgetown, SC 29442
Mailing Address: 238 N. Frasier St., Georgetown, SC 29442
County: Georgetown
Previous Orders: None
Permit/ID Number: 13113
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (Rev. 2002), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.10(e) and R.61-92.280.40(a) (Supp. 2010).

Summary: Prashant Patel (Respondent) owns and operates underground storage tanks (USTs) in Georgetown 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.

Action: The Respondent is required to submit a civil penalty in the amount of one thousand, four hundred twenty-five dollars (**\$1,425.00**).

- 8) Order Type and Number: Consent Order 11-0058-UST
Order Date: July 22, 2011
Respondent: **Yumnaji, Inc.**
Facility: Yumnaji, Inc.
Location: 11450 South Highway 11, Westminster, SC 29693
Mailing Address: 314 Arphenia Drive, West Union, SC 29696
County: Oconee
Previous Orders: None
Permit/ID Number: 06779
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (Rev. 2002), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.34(c) and R.61-92.280.40(a) (Supp. 2010).

Summary: Yumnaji, Inc. (Respondent) owns and operates underground storage tanks (USTs) in Oconee 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.

Action: The Respondent is required to pay a civil penalty in the amount of six hundred dollars (**\$600.00**).

Infectious Waste Enforcement

- 9) Order Type and Number: Consent Order 11-08-IW
Order Date: July 22, 2011
Respondent: **Dr. Gabriel Fornari**
Facility: Dr. Gabriel Fornari Family Practice
Location/Mailing Address: 132 Bluffton Road Bluffton, South Carolina/3 Myrtle Lane
Hilton Head, South Carolina 29928
County: Beaufort County
Previous Orders: None
Permit/ID Number: None
Violations Cited: South Carolina Infectious Waste Management Act §44-93-30 and the South Carolina Infectious Waste Management Regulation 61-105(F)(7), R.61-105(F)(6)(h), R.61-105(F)(6)(g), R.61-105(K)(1), R.61-105(K)(2), R.61-105(K)(3), R.61-105(K)(4), R.61-105(I)(8), R.61-105(J)(2)(b), R.61-105(J)(2)(d), R.61-105(K)(5)(a), R.61-105(F)(1), R.61-105(F)(2), and R.61-105(F)(5).

Summary: Dr. Gabriel Fornari (Respondent) is a family physician that previously operated a private practice at 132 Bluffton Road in Bluffton, South Carolina. The Respondent has violated the Infectious Waste Management Regulations as follows: failure to register prior to generating and performing regulated infectious waste activities; failure to submit a written protocol for the management of infectious waste from the point of generation until being offered for transport; failure to store containers of infectious waste sharps in a secure area that is labeled with the biohazard symbol sign; failure to properly package containers of infectious waste sharps; failure to label containers of infectious waste sharps with the generator number and the date they were placed into storage; and, failure to ensure that containers of infectious waste sharps are not stored more than 14 days without refrigeration.

Action: The Respondent has agreed to: now and in the future, ensure compliance with the South Carolina Infectious Waste Management Act and

Regulations and pay a civil penalty in the amount of five thousand, four hundred dollars (**\$5,400.00**) in accordance with a promissory note.

Solid Waste Enforcement

- 10) Order Type and Number: Consent Order 11-12-SW
Order Date: July 22, 2011
Respondents: **Warren M. Lee & Mary Lucia Lee**
Facility: None
Location: 960 Egypt Road, Camden, SC
Mailing Address: (Warren M. Lee) 537 Egypt Road/(Mary Lucia Lee) 960 Egypt Road, Camden, SC 29020
County: Lee
Previous Orders: None
Permit/ID Number: None
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991(Rev. 2002), Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation 61-107.19, Part I.A.8 and Part I.B.53, and Solid Waste Management: Waste Tire Regulation 61-107.3.E.3., and Pollution Control Act (Rev. 2008) Section 48-1-90(a).

Summary: Mary Lucia Lee (Respondent) owns the property at 960 Egypt Road, Camden, South Carolina (Site). Warren M. Lee (Respondent), son of Mary Lucia Lee, placed miscellaneous solid waste, including but not limited to waste tires, at the Site, which is in violation of: Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, which prohibits open dumping; Solid Waste Management: Waste Tire Regulation, which prohibits disposal of waste tires except at a permitted solid waste management facility; and the Pollution Control Act, which prohibits direct or indirect discharge of waste to the environment.

Action: The Order requires the Respondents to: remove and properly dispose/recycle all solid waste from the Site, including waste tires, and submit documentation of final disposition of the solid waste; and, pay a civil penalty in the amount of three thousand, four hundred dollars (**\$3,400.00**).

- 11) Order Type and Number: Consent Order 11-21-SW
Order Date: July 22, 2011
Respondents: **Warren M. Lee & Mary Lucia Lee**
Facility: None
Location: 173 Egypt Road, Camden, SC

Mailing Address: (Warren M. Lee) 537 Egypt
Road/(Mary Lucia Lee) 960 Egypt
Road, Camden, SC 29020

County: Lee

Previous Orders: None

Permit/ID Number: None

Violations Cited: South Carolina Solid Waste Policy
and Management Act of 1991(Rev.2002), Solid Waste Management: Solid
Waste Landfills and Structural Fill Regulation 61-107.19, Part I.A.8 and
Part I.B.53, and Pollution Control Act (Rev. 2008) Section 48-1-90(a).

Summary: Mary Lucia Lee (Respondent) owns the property at 173 Egypt Road, Camden, South Carolina (Site). Warren M. Lee (Respondent), son of Mary Lucia Lee, placed solid waste in an existing pit at the Site, which is in violation of; Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, which prohibits open dumping; and the Pollution Control Act, which prohibits direct or indirect discharge of waste to the environment. The pit at the Site was also used by area residents for the dumping of miscellaneous solid waste. On November 30, 2009, a fire occurred at the Site and the Respondents cooperated with the Department and the fire officials by covering the area with soil to extinguish the fire. The Respondents subsequently submitted a Remediation Plan for the Site.

Action: The Order requires the Respondents to: submit a sampling and analysis plan (Plan), prepared by a licensed professional registered in the State of South Carolina, to determine if the solid waste at the Site is impacting or has the potential to impact the underlying groundwater. The Plan shall include borings within the pit area to obtain samples. The samples shall be analyzed for total RCRA metals, Volatile Organic Compounds and Semi-volatile Organic Compounds, by a laboratory certified in the State of South Carolina to perform such analyses. The Plan shall identify all private wells around the Site within a one-half mile radius. A licensed professional shall make a determination as to whether or not groundwater should be sampled and shall include the determination in the Plan. Based upon the sampling data resulting from completion of the Plan, the Respondents shall: submit a revised Remediation Plan; upon Department approval of the Remediation Plan, implement the Remediation Plan to conclusion; upon completion of the Remediation Plan, contact the Department for a final inspection; record a notation on the deed for the Site that will in perpetuity notify any potential purchaser of the property that the land has been used for the disposal of miscellaneous solid waste; and, pay a civil penalty in the amount of two thousand, five hundred dollars (**\$2,500.00**).

BUREAU OF WATER

Drinking Water Enforcement

- 12) Order Type and Number: Consent Order 11-024-DW
Order Date: July 8, 2011
Respondent **Scollon Productions, Inc.**
Facility: Scollon Productions
Location: 1016 White Rock Road
White Rock, SC 29177
Mailing Address: P.O. Box 486
White Rock, SC 29177
County: Richland
Previous Orders: None
Permit/ID Number: 4030008
Violations Cited: S.C. Code Ann. Regs. 61-58.1.B (1)
and (8) and 61.58.1.K

Summary: Scollon Productions, 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: failure to obtain a permit to construct prior to the construction of the appurtenances associated with a new public supply well and failure to obtain written approval to operate prior to placing the new public supply well and appurtenances into operation.

Action: The Respondent is required to: obtain a permit to construct and written approval to operate; properly abandon the well that previously served the facility; pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**); 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.

- 13) Order Type and Number: Consent Order 11-025-DW
Order Date: July 13, 2011
Respondent: **Carolina Water Service, Inc.**
Facility: Lakewood Estates
Location: 213 Newberry Road
Chapin, SC 29036
Mailing Address: 200 Weathersfield Ave.
Altamonte Spring, Florida 32714
County: Lexington
Previous Orders: 09-036- DW (Stipulated Penalty
\$4,000.00)

Permit/ID Number: 3250005
Violations Cited: S.C. Code Ann. Regs. 61-58.5(B)(2)(a)

Summary: Carolina Water Service, 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 arsenic.

Action: The Respondent is required to: submit a corrective action plan to include proposed steps to address the arsenic MCL exceedance and pay a civil penalty in the amount of five thousand forty dollars (**\$5,040.00**).

14) Order Type and Number: Consent Order 11-027-DW
Order Date: July 22, 2011
Respondent: **City of North Augusta**
Facility: Summerfield Park
Location: 61 Claypit Road,
North Augusta, SC 29841
Mailing Address: Same
County: Aiken
Previous Orders: None
Permit/ID Number: None
Violations Cited: S.C. Code Ann. Regs. 61-51(B)

Summary: The City of North Augusta (Respondent) owns and is responsible for the proper construction of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: failure to obtain a permit to construct from the Department prior to the construction of the pool.

Action: The Respondent is required to: obtain the required permit to construct a pool and pay a civil penalty in the amount of two hundred dollars (**\$200.00**). The civil penalty has been paid.

15) Order Type and Number: Consent Order 11-026-DW
Order Date: July 28, 2011
Respondent: **Commission of Public Works of the City of Spartanburg, SC**
Facility: R.B. Simms Water Treatment Plant
Location: 390 Spartanburg Water Works Road
Chesnee, SC 29323
Mailing Address: P.O. Box 251
Spartanburg, SC 29304

County: Spartanburg
Previous Orders: None
Permit/ID Number: 4210001
Violations Cited: S.C. Code Ann. Regs. 61-58.1.B(1)

Summary: The Commission of Public Works of the City of Spartanburg, South Carolina (Respondent) owns and is responsible for the proper permitting and construction activities of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failure to obtain a permit to construct prior to the modification of the PWS.

Action: The Respondent is required to: pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**). The civil penalty has been paid.

Water Pollution Enforcement

16) Order Type and Number: Consent Order 11-026-W
Order Date: July 22, 2011
Respondent: **Tar Heel Capital – Wendy’s LLC**
Facility: Wendy’s #28
Location/Mailing Address: 1825 J.A. Cochran Bypass
Chester, SC 29706
County: Chester
Previous Orders: None
Permit/ID Number: None
Violations Cited: S.C. Code Ann. §48-1-90(a)(2008)

Summary: Tar Heel Capital – Wendy’s LLC (Respondent) owns and is responsible for the proper operation and maintenance of a Retail Food Establishment (RFE). Employees of the Respondent violated the Pollution Control Act as follows: discharged cooking oil/grease into a storm drain located in the parking lot of the RFE even though a container was provided for the deposit of this material. A follow-up inspection revealed an additional discharge. The waste cooking oil was contained in a downstream retention basin.

Action: The Respondent is required to: submit a corrective action plan (CAP) detailing actions to be taken to prevent the mishandling of cooking oil/grease; and pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**).

17) Order Type and Number: Consent Order 11-027-W
Order Date: July 22, 2011

Respondent: **Town of Kershaw**
Facility: Hanging Rock Creek WWTF
Location/Mailing Address: 693 Country Club Road
Kershaw, SC 29067
County: Lancaster
Previous Orders: 08-123-W (\$9,350.00)
Permit/ID Number: SC0025798
Violations Cited: S.C. Code Ann. §48-1-90(a) and
§48-1-110(d)(2008) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and
(e)(Supp. 2010)

Summary: Town of Kershaw (Respondent) owns and is responsible for the proper operation and maintenance of the Hanging Rock Creek Wastewater Treatment Facility (WWTF), located in the Town of Kershaw, in Lancaster County. The Respondent has violated the Pollution Control Act and the Water Pollution Control Permits Regulation as follows: failed to properly operate and maintain all units of treatment and control; failed to comply with all requirements of its National Pollution Discharge Elimination System (NPDES) Permit; and discharged partially treated wastewater into the environment.

Action: The Respondent is required to: submit a summary report of corrective actions implemented addressing operation and maintenance at the WWTF; initiate a Capacity, Management, Operations and Maintenance (cMOM) audit and develop and implement an action plan; submit bi-annual progress reports; and pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**) and pay a suspended penalty in the amount of six thousand four hundred dollars (\$6,400.00) should the Respondent fail to meet any requirement of the Order.

18) Order Type and Number: Consent Order 11-028-W
Order Date: July 28, 2011
Respondent: **Town of Latta**
Facility: Town of Latta WWTF
Location/Mailing Address: 501 E. Academy Street
Latta, SC 29565
County: Dillon
Previous Orders: 07-078-W (\$3,780.00)
Permit/ID Number: SC0025402
Violations Cited: S.C. Code Ann. § 48-1-110(d) (2008)
and 24 S.C. Code Ann. Regs. 61-9.122.41(a)(1) (Supp.2009)

Summary: The Town of Latta (Respondent) owns and is responsible for the proper operation and maintenance of the Town of Latta Wastewater Treatment Facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: violated the conditions of its National Pollutant Discharge Elimination System (NPDES) Permit in that it

exceeded the permitted discharge limits for ammonia-nitrogen and ultimate oxygen demand-calculated.

Action: The Respondent is required to: submit a report of the results of a pilot study addressing the upgrade of the WWTF; submit a construction permit application addressing the upgrade of the WWTF; complete construction of the WWTF upgrade; obtain Department approval to operate the upgraded WWTF; and, pay a civil penalty in the amount of five thousand six hundred dollars (\$5,600.00).

19) Order Type and Number: Consent Order 11-029-W
Order Date: July 22, 2011
Respondent: **Ronald H. Fountain**
d/b/a Fountain's Laundromat
Facility: Fountain's Laundromat Land
Application Site
Location/Mailing Address: 3438 Bethune Highway
Bishopville, SC 29010
County: Lee
Previous Orders: None
Permit/ID Number: ND0000671
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(2008), S.C. Code Ann. Regs. 61-9.122.21(d)(2) (Supp. 2010).

Summary: Ronald H. Fountain d/b/a Fountain's Laundromat (Respondent) owns and is responsible for the proper operation and maintenance of Fountain's Laundromat and the associated land application site located in Lee County, South Carolina. The Respondent failed to submit an administratively complete application for renewal of its State Land Application (SLA) Permit to the South Carolina Department of Health and Environmental Control (Department) at least one hundred eighty (180) days prior to the expiration date of the permit.

Action: The Respondent is required to: continue to operate the facility in accordance with the most recently issued SLA Permit until a new permit becomes effective.

20) Order Type and Number: Consent Order 11-030-W
Order Date: July 28, 2011
Respondent: **Town of Pageland**
Facility: Southeast Wastewater Treatment
Plant
Location/Mailing Address: Gum Street, East of Highway 51
Town of Pageland, SC 29728
County: Chesterfield

Previous Orders: None
Permit/ID Number: SC0021539
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(2008), S.C. Code Ann. Regs. 61-9.122.21(d)(1) (Supp. 2010).

Summary: The Town of Pageland (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment plant. The Respondent failed to submit an administratively complete application for renewal of its National Pollutant Discharge Elimination System (NPDES) Permit at least one hundred eighty (180) days prior to the expiration date of the permit.

Action: The Respondent is required to: continue to operate the facility in accordance with the most recently issued NPDES permit until a new permit becomes effective; submit the NPDES permit application; and, pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

BUREAU OF AIR QUALITY

21) Order Type and Number: Consent Order 11-029-A
Order Date: July 01, 2011
Respondent: **Atlantic Marine Corps Communities LLC**
Facility: Laurel Bay Community /
U.S. Marine Corps Air Station
Location/Mailing Address: 600 Laurel Bay Road
Beaufort, SC 29906 /
1801 West End Avenue
Suite 1700
Nashville, TN 37203
County: Beaufort
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,
Section V, VI, VIII, and X.

Summary: Atlantic Marine Corps Communities LLC (Respondent) is a military privatization firm which owns and maintains military housing units in the Laurel Bay Community located at the United States Marine Corps Air Station in Beaufort, South Carolina (“Site”). The Respondent is a subsidiary of Actus Lend Lease LLC. The Respondent violated U.S.EPA Regulations and South Carolina Air Pollution Control Regulations as follows: failed to ensure that an asbestos building inspection was performed to identify the presence, location and estimated quantity of asbestos-containing material (“ACM”) prior to beginning

renovation activities; failed to submit to the Department a written NESHAP project license application at least 10 working days in advance of the proposed abatement start date; failed to ensure compliance with established work practices for proper abatement of regulated asbestos-containing material “(RACM)”; failed to pay the applicable fees for the NESHAP-sized project license; failed to ensure that each worker and supervisor employed at the abatement project site meet the applicable training and licensing requirements of the Regulation; and failed to ensure that ACM was disposed of in a Department-approved landfill approved or permitted to accept asbestos waste.

Action: The Respondent is required to: ensure that all applicable notifications are submitted to the Department in accordance with state and federal asbestos regulations; ensure that all future work practice requirements regarding the preparation, removal, cleanup, and disposal of asbestos-containing material are followed and performed in accordance with state and federal asbestos regulations; pay to the Department a NESAHP-project application fee of three hundred eighty dollars (\$380.00); and pay to the Department a civil penalty in the amount of fifteen thousand dollars (**\$15,000.00**).

22) <u>Order Type and Number:</u>	Consent Order 11-031-A
<u>Order Date:</u>	July 1, 2011
<u>Respondent:</u>	Graniteville Specialty Fabrics
<u>Facility:</u>	Graniteville Specialty Fabrics
<u>Location/Mailing Address:</u>	511 Leitner Street
<u>County:</u>	Aiken
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	TV-0080-0027
<u>Violations Cited:</u>	U.S. EPA 40 CFR 63, Subpart A, <i>General Provision</i> , and Subpart OOOO- <i>National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles</i> and South Carolina Air Pollution Control Regulation 61-62.63-Subpart OOOO- <i>National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles</i>

Summary: Graniteville Specialty Fabrics (Respondent) is a fabric coating facility that finishes a variety of fabrics used in various industries and is located in Graniteville, South Carolina. The Department issued Part 70 (Title V) Operating Permit 0080-0027 to the Respondent, effective November 3, 1999. The Respondent violated U.S. EPA Regulations and South Carolina Air Pollution Control Regulations in that it failed to: develop and implement a startup, shutdown maintenance plan; submit a Notice of Compliance Status; submit semi-annual reports; develop and implement a work practice plan; conduct an initial performance test; submit a performance test plan; submit a performance test notification; and develop and implement a site-specific monitoring plan.

Action: The Respondent is required to: henceforth submit semi-annual reports; submit a Notice of Compliance Status; pay a civil penalty in the amount of seventeen thousand five hundred dollars (**\$17,500.00**).

23) Order Type and Number: Consent Order 11-033-A
Order Date: July 28, 2011
Respondent: **Southeast Cotton, Inc.**
Facility: Southeast Cotton, Inc.
Location/Mailing Address: 187 Daniels Road, Lake City, SC 29560 /
PO Box 838, Lake City, SC 29560
County: Florence
Previous Orders: 07-031-A (\$2,500.00)
Permit/ID Number: 1040-0087
Violations Cited: Pollution Control Act (S.C. Code Ann. § 48-1-90(a) and S.C. Code Ann. § 48-1-110(d)); South Carolina Air Pollution Control Regulation 61-62.1, Section II.J.1.c.; South Carolina Air Pollution Control Regulation 61-62.5, Standard No. 4, Section V.B.; and Consent Order 07-031-A.

Summary: Southeast Cotton, Inc. (Respondent) owns and operates a cotton gin located in Lake City, South Carolina. On July 13, 2005, the Department issued State Air Quality Operating Permit 1040-0087 (Operating Permit) to the Respondent. The Respondent violated South Carolina Air Pollution Control Regulations, its Operating Permit, and Consent Order 07-031-A as follows: failure to limit opacity from the cotton gin to 20%; failure to maintain good air pollution control practices for minimizing emissions; failure to maintain records of visual inspections of its cyclone systems; and failure to notify and report an event of excess emissions from a cyclone.

Action: The Respondent is required to: maintain good air pollution control practices for minimizing emissions from its cyclones; limit opacity from the cotton gin to 20%; maintain records of visual inspections of its cyclone systems; notify and report any events of excess emissions from its cyclones; and pay a civil penalty in the amount of five thousand two hundred fifty dollars (**\$5,250.00**).