

SUMMARY SHEET
 BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
 August 10, 2023

_____ ACTION/DECISION

X INFORMATION

1. **TITLE:** Administrative and Consent Orders issued by the Office of Environmental Affairs.
2. **SUBJECT:** Administrative and Consent Orders issued by the Office of Environmental Affairs during the period June 1, 2023, through June 30, 2023.
3. **FACTS:** For the reporting period of June 1, 2023, through June 30, 2023, the Office of Environmental Affairs issued twenty-four (24) Consent Orders with total assessed civil penalties in the amount of ninety-one thousand, six hundred twenty dollars (\$91,620.00). Also, fifteen (15) Administrative Orders with total assessed civil penalties in the amount of one hundred forty-nine thousand, nine hundred eighty-five dollars and eighty-five cents (\$149,985.85) were reported during this period.

| Bureau and Program Area | Administrative Orders | Assessed Penalties | Consent Orders | Assessed Penalties |
|--------------------------------------|-----------------------|---------------------|----------------|--------------------|
| Land and Waste Management | | | | |
| UST Program | 5 | \$149,985.85 | 9 | \$26,470.00 |
| Solid Waste | 0 | 0 | 0 | 0 |
| Hazardous Waste | 0 | 0 | 2 | \$25,000.00 |
| Mining | 0 | 0 | 1 | \$0.00 |
| Radiological Health | 0 | 0 | 2 | \$12,750.00 |
| SUBTOTAL | 5 | \$149,985.85 | 14 | \$64,220.00 |
| Water | | | | |
| Recreational Water | 0 | 0 | 0 | \$0.00 |
| Drinking Water | 0 | 0 | 1 | \$0.00 |
| Water Pollution | 0 | 0 | 6 | \$26,400.00 |
| SUBTOTAL | 0 | 0 | 7 | \$26,400.00 |
| Air Quality | | | | |
| SUBTOTAL | 0 | 0 | 3 | \$1,000.00 |
| Environmental Health Services | | | | |
| Onsite Wastewater | 10 | \$0.00 | 0 | \$0.00 |
| SUBTOTAL | 10 | \$0.00 | 0 | \$0.00 |
| OCRM | | | | |
| SUBTOTAL | 0 | \$0.00 | 0 | \$0.00 |
| TOTAL | 15 | \$149,985.85 | 24 | \$91,620.00 |

Submitted by:

Myra C. Reece
 Myra C. Reece
 Director of Environmental Affairs

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
August 10, 2023**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 21-0650-UST
Order Date: November 18, 2022
Individual/Entity: **Kesav, Inc.**
Facility: Sam's Grocery & Grill
Location: 1969 South Highway 501
Marion, SC 29571
Mailing Address: 507 South Main Street
Bishopville, SC 29010
County: Marion
Previous Orders: None
Permit/ID Number: 06208
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq., § 44-2-60(A) (2018) and the South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.21(a)(3), 280.22(b), 280.70(a), 280.70(c), 280.93(a), 280.110(c), and 280.243(b) (2012 & Supp 2022).

Summary: Kesav, Inc. (Individual/Entity) owns underground storage tanks (USTs) in Marion County, South Carolina. On September 20, 2021, the Department conducted a file review of the Facility and issued a Transfer of Ownership – New Owner letter. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to close the USTs in accordance with Subpart G of the Regulation; failed to notify the Department of ownership change within thirty (30) days of acquisition of an UST system; failed to maintain corrosion protection for a temporarily closed UST; failed to properly close an UST system that has been temporarily closed for more than twelve (12) months and does not meet either performance standards in Section 280.20 or upgrading requirements in Section 280.21; failed to demonstrate financial responsibility for an UST system; failed to submit evidence of financial assurance to the Department upon request; failed to have a properly trained Class A and B operator within thirty (30) days of assuming duties; and failed to pay Annual Tank Registration Fees and Associated Late Fees.

Action: The Individual/Entity is required to: pay Annual Tank Registration Fees and associated late fees for fiscal year 2023 in the amount of three hundred sixty-three dollars (\$363.00); submit an UST Tank and Sludge Disposal Form for the permanent closure of the UST at the Facility by July 17, 2023; permanently close the USTs within forty-five (45) days of the Department's approval of the Tank and Sludge Disposal Form; and submit an UST Closure and Assessment Report within sixty (60) days of closure. If the UST Closure and Assessment Report indicates contamination, submit a completed Certificate of Financial Responsibility form and evidence of financial assurance as directed by the Department. The Department has assessed a total civil penalty in the

amount of forty-seven thousand, two hundred dollars (\$47,200.00). The civil penalty in the amount of forty-seven thousand, two hundred dollars (**\$47,200.00**) shall be due on or before July 17, 2023.

Update: There is now an updated AO that supersedes this one, these requirements are no longer pertinent. .

2) Order Type and Number: Administrative Order 23-0055-UST
Order Date: May 11, 2023
Individual/Entity: **Sanjay & Ulka Patel**
Facility: Forestbrook Grocery
Location: 1272 Forestbrook Road
Myrtle Beach, SC 29579
Mailing Address: 2521 Hunters Trail
Myrtle Beach, SC 29588
County: Horry
Previous Orders: AO 19-0523-UST (\$9,413.00)
Permit/ID Number: 17398
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq., § 44-2-10(A) (2018), and the South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.21(a)(3), 280.31(a), and 280.70(c) (2012 & Supp. 2022).

Summary: Sanjay & Ulka Patel (Individual/Entity) own underground storage tanks (USTs) in Horry County, South Carolina. Based on a file review conducted on February 3, 2023, the Department issued a Notice of Alleged Violation. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to properly close a substandard UST system ; failed to maintain and operate a corrosion protection system continuously; and failed to properly abandon a temporarily closed UST system after twelve (12) months. This is a repeat violator.

Action: The Individual/Entity is required to submit: a Tank and Sludge Disposal form for the permanent closure of the USTs at the Facility by July 22, 2023; permanently close the USTs within forty-five (45) days of the Department's approval of the Tank and Sludge Disposal Form; and submit an UST Closure and Assessment Report within sixty (60) days after the tanks have been permanently closed. The Department has assessed a total civil penalty in the amount of nineteen thousand, four hundred seventy-five dollars (\$19,475.00). The Individual/Entity shall pay a civil penalty in the amount of nineteen thousand, four hundred seventy-five dollars (**\$19,475.00**) by July 22, 2023.

Update: None.

3) Order Type and Number: Administrative Order 23-0398-UST
Order Date: May 11, 2023
Individual/Entity: **Pareshkumar Patel**
Facility: Quick Food Mart 1
Location: 2555 North Dawson Drive
Chester, SC 29706

Mailing Address: 1139 Johnston Parkway
Kenly, NC 27542
County: Chester
Previous Orders: None
Permit/ID Number: 12357
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. § 44-2-10 et seq., § 44-2-10(A) (2018), and the South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.21(a)(3), 280.31(a), 280.70(a), 280.70(c), 280.93(a), and 280.110(c) (2012 & Supp. 2022).

Summary: Pareshkumar Patel (Individual/Entity) owns underground storage tanks (USTs) in Chester County, South Carolina. Based on a file review conducted on October 5, 2022, the Department issued a Transfer of Ownership – New Owner Notice of Alleged Violation. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to properly close a substandard UST system; failed to maintain and operate a corrosion protection system continuously; failed to maintain corrosion protection on a temporarily closed UST; failed to properly abandon a temporarily closed UST system after twelve (12) months; failed to demonstrate financial responsibility for a UST system; and failed to submit evidence of financial assurance to the Department upon request.

Action: The Individual/Entity is required to: submit a Tank and Sludge Disposal form for the permanent closure of the USTs at the Facility by July 22, 2023; permanently close the USTs within forty-five (45) days of the Department’s approval of the Tank and Sludge Disposal Form; submit an UST Closure and Assessment Report within sixty (60) days after the tanks have been permanently closed. If the UST Closure and Assessment Report indicates contamination, within thirty (30) days of the Department’s notification, submit a completed Certificate of Financial Responsibility form and evidence of financial assurance. The Department has assessed a total civil penalty in the amount of forty-nine thousand, six hundred seventy-five dollars (\$49,675.00). The Individual/Entity shall pay a civil penalty in the amount of forty-nine thousand, six hundred seventy-five dollars (**\$49,675.00**) by July 22, 2023.

Update: None.

4) Order Type and Number: Administrative Order 22-0268-UST
Order Date: June 9, 2023
Individual/Entity: **Rudra Ganesh, LLC**
Facility: Smokerise Inn & Out
Location: 2415 Pineview Drive
Lancaster, SC 29720
Mailing Address: 143 Halifax Drive
Indian Land, SC 29707
County: Lancaster
Previous Orders: None
Permit/ID Number: 05529
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. § 44-2-10 et seq., § 44-2-60(A) (2018), and the South Carolina Underground Storage

Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.93(a) and 280.110(c) (2012 & Supp 2022).

Summary: Rudra Ganesh, LLC (Individual/Entity) owns an underground storage tank (UST) system in Lancaster County, South Carolina. On June 13, 2022, the Department conducted a file review and issued a Transfer of Ownership – New Owner Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act, and the South Carolina Underground Storage Tank Regulation, as follows: failed to demonstrate financial responsibility for an UST system and failed to submit evidence of financial assurance to the Department.

Action: The Individual/Entity is required to: submit a completed Certificate of Financial Responsibility and proof of financial assurance by August 11, 2023. The Department has assessed a total civil penalty in the amount of twenty-eight thousand, six hundred dollars (\$28,600.00). The Individual/Entity shall pay a civil penalty in the amount of twenty-eight thousand, six hundred dollars (**\$28,600.00**) by August 11, 2023.

Update: None.

5) Order Type and Number: Administrative Order 22-0278-UST
Order Date: June 9, 2023
Individual/Entity: **Sel Properties, LLC**
Facility: Lancaster Creamery
Location: 1476 Memorial Park Road
Lancaster, SC 29720
Mailing Address: P.O. Box 11641
Columbia, SC 29211
County: Lancaster
Previous Orders: None
Permit/ID Number: 05495
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. § 44-2-10 et seq., § 44-2-60(A) (2018), and the South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.65 (2012 & Supp 2022).

Summary: Sel Properties, LLC (Individual/Entity) owned an underground storage tank (UST) in Lancaster County, South Carolina. On July 14, 2022, the Department conducted a file review and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act, and the South Carolina Underground Storage Tank Regulation as follows: failed to comply with the requirements for the investigation of soil and groundwater cleanup as directed by the Department.

Action: The Individual/Entity is required to submit a monitoring well abandonment report by August 11, 2023, in accordance with the Notice issued on January 28, 2022. The Department has assessed a total civil penalty in the amount of five thousand, thirty-five dollars and eighty-five cents (\$5,035.85). The Individual/Entity shall pay a civil penalty in the amount of five thousand, thirty-five dollars and eighty-five cents (**\$5,035.85**) by August 11, 2023.

Update: None.

6) Order Type and Number: Consent Order 23-0098-UST
Order Date: June 9, 2023
Individual/Entity: **Bahuchar Mata, LLC**
Facility: Quick Pantry 19
Location: 1802 South Main Street
Greenwood, SC 29646
Mailing Address: 311 Oakmonte Circle
Greenwood, SC 29649
County: Greenwood
Previous Orders: 21-0541-UST (\$8,750.00);
21-0041-UST (\$7,000.00)
Permit/ID Number: 04785
Violations Cited: The State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. § 44-
2-10 et seq., § 44-2-60(A)(2018), and the South Carolina Underground Storage
Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.20(c)(1)(ii) (2012 &
Supp 2022).

Summary: Bahuchar Mata, LLC (Individual/Entity) owns underground storage tanks (USTs) in Greenwood County, South Carolina. On April 10, 2023, the Department conducted an inspection and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to maintain overfill prevention equipment. This is a repeat violator.

Action: The Individual/Entity corrected the violation prior to issuance of the Order. The Department has assessed a total penalty in the amount of three thousand, six hundred dollars (\$3,600.00). The Individual/Entity shall pay a total civil penalty in the amount of three thousand, six hundred dollars (**\$3,600.00**) by July 24, 2023.

Update: The Individual/Entity has paid the civil penalty. The Consent Order is closed.

7) Order Type and Number: Consent Order 22-0252-UST
Order Date: June 12, 2023
Individual/Entity: **11550 Augusta Rd, LLC**
Facility: Rustic Rooster
Location: 11550 Augusta Road
Honea Path, SC 29654
Mailing Address: 312 Traynham Boulevard
Greenville, SC 29609
County: Greenville
Previous Orders: None
Permit/ID Number: 12347
Violations Cited: The State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-
2-10 et seq., § 44-2-60(A)(2018), and the South Carolina Underground Storage
Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.21(a), 280.31(a),
280.70(c), 280.93(a), 280.110(c), and 280.243(b) (2012 & Supp 2022).

Summary: 11550 Augusta Rd, LLC (Individual/Entity) owns an underground storage tank system (UST) in Greenville County, South Carolina. On May 27, 2022, the Department conducted a file review of the Facility and issued a Transfer of Ownership – New Owner Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to comply with the performance standards of Section 280.20, or upgrading requirements in Section 280.21, or closure and corrective action requirements found in Subparts G and F; failed to maintain and operate a corrosion protection system; failed to properly abandon an UST system that has been temporarily closed after twelve (12) months; failed to demonstrate financial responsibility for an UST system; failed to submit evidence of financial assurance to the Department upon request; and failed to have a Class A/B operator trained in facility specific operation and maintenance and/or emergency response actions; and failed to pay Annual Tank Registration Fees.

Action: The Individual/Entity is required to: pay Annual Tank Registration Fees and associate late fees for fiscal years 2014 through 2021 in the amount of seven thousand, nine hundred eighty-six dollars (\$7,986.00) in accordance with a promissory note; submit an UST Tank and Sludge Disposal Form for the permanent closure of all USTs at the Facility by July 27, 2023; permanently close the USTs within forty-five (45) days of the Department’s approval of the Tank and Sludge Disposal Form; submit an UST Closure and Assessment Report within sixty (60) days of closure; and should the UST Closure and Assessment Report indicate contamination, submit a completed Certificate of Financial Responsibility form and evidence of financial assurance as directed by the Department. The Department has assessed a total penalty in the amount of forty thousand, eight hundred fifty dollars (\$40,850.00). The Individual/Entity shall pay a **suspended penalty** in the amount of forty thousand, eight hundred fifty dollars (**\$40,850.00**) should any requirement of the Order not be met.

Update: All four Annual Tank Registration Fees payments have been made in accordance with the promissory note. The USTs have been removed from the ground as of 7/24/23. The Closure report is due on September 9, 2023.

8) Order Type and Number: Consent Order 23-0026-UST
Order Date: June 14, 2023
Individual/Entity: **A. A. Dicks Corp. dba A. A. Dicks
Funeral Home**
Facility: Original Blue Ribbon Taxi Cab Corporation
Location: 6400 North Main Street
Columbia, SC 29203
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 18367
Violations Cited: The State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-
2-10 et seq., § 44-2-60(A)(2018), and the South Carolina Underground Storage
Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.93 (a), 280.110(c),
and 280.243(b) (2012 & Supp 2022).

Summary: A.A. Dicks Corporation dba A.A. Dicks Funeral Home

(Individual/Entity) owns a compartmented underground storage tank (UST) in Richland County, South Carolina. On November 28, 2022, the Department conducted a routine file review and issued a Transfer of Ownership New Owner Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to demonstrate financial responsibility for an UST system and failed to submit evidence of financial assurance to the Department upon request and failed to complete the Class A/B operator training.

Action: The Individual/Entity is required to: submit a completed Certificate of Financial Responsibility form, submit evidence of financial assurance as directed by the Department, and complete Class A/B operator training, and submit proof by July 29, 2023. The Department has assessed a total penalty in the amount of twenty-six thousand, four hundred dollars (\$26,400.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, four hundred dollars (**\$1,400.00**) by July 29, 2023, and pay a suspended penalty in the amount of twenty-five thousand dollars (\$25,000.00) should any requirement of the Order not be met.

Update: The Individual/Entity has paid the penalty and completed the operator training.

9) Order Type and Number: Consent Order 23-0065-UST
Order Date: June 14, 2023
Individual/Entity: **James River Petroleum, Inc.**
Facility: Happy Express
Location: 1431 East Tom Hall Street
Fort Mill, SC 29715-7002
Mailing Address: 10487 Lakeridge Parkway, Suite 100
Ashland, VA 23005-8115
County: York
Previous Orders: None
Permit/ID Number: 09352
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq., § 44-2-60(A)(2018), and the South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.93 (a) and 280.110(c) (2012 & Supp 2022).

Summary: James River Petroleum, Inc. (Individual/Entity) owns underground storage tanks (USTs) in York County, South Carolina. On February 6, 2023, the Department conducted a routine file review and issued a Notice of Alleged Violation. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to demonstrate financial responsibility for an UST system and failed to submit evidence of financial assurance to the Department upon request.

Action: The Individual/Entity is required to submit a completed Certificate of Financial Responsibility form and evidence of financial assurance by July 29, 2023. The Department has assessed a total penalty in the amount of twenty-five thousand, seven hundred twenty dollars (\$25,720.00). The Individual/Entity shall pay a civil penalty in the amount of seven hundred twenty dollars (**\$720.00**) by July 29, 2023, and pay a suspended penalty in the amount of twenty-five thousand dollars (\$25,000.00) should any

requirement of the Order not be met.

Update: The Individual/Entity has paid the penalty.

- 10) Order Type and Number: Consent Order 23-0057-UST
Order Date: June 21, 2023
Individual/Entity: **Mountain Express Oil Company**
Facility: Mex #3201
Location: 175 Truck Stop Road
Cowpens, SC 29330
Mailing Address: 5333 Bell Ferry Road, Ste. 201
Acworth, Georgia, 30102
County: Spartanburg
Previous Orders: None
Permit/ID Number: 11080
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq., § 44-2-10(A) (2018), and the South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.22(b) (2012 & Supp. 2022).

Summary: Mountain Express Oil Company (Individual/Entity) owns underground storage tanks (UST's) in Spartanburg County, South Carolina. Based on a routine file review conducted on February 8, 2023, the Department issued a Transfer of Ownership-New Owner Notice of Alleged Violation. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to notify the Department of ownership change within thirty (30) days of acquisition of a regulated UST system.

Action: The Individual/Entity corrected the violation prior to issuance of the Order. The Department has assessed a total civil penalty in the amount of two hundred dollars (\$200.00). The Individual/Entity shall pay a civil penalty in the amount of two hundred dollars (**\$200.00**).

Update: The Individual/Entity has paid the civil penalty. The Order is Closed.

- 11) Order Type and Number: Consent Order 23-0085-UST
Order Date: June 21, 2023
Individual/Entity: **Duc Nguyen**
Facility: Lucky Ninety Nine
Location: 2779 Pageland Highway
Lancaster, SC 29720
Mailing Address: Same
County: Lancaster
Previous Orders: None.
Permit/ID Number: 05507
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq., § 44-2-60(A)(2018), and the South Carolina Underground Storage

Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.20(c)(1)(ii) (2012 & Supp 2022).

Summary: Duc Nguyen (Individual/Entity) owns and operates underground storage tanks (USTs) in Lancaster County, South Carolina. On April 24, 2023, the Department conducted an inspection and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to maintain overfill prevention equipment.

Action: The Individual/Entity is required to: submit proof the obstruction was removed from the 8,000-gallon regular UST and submit passing follow-up overfill prevention equipment operability test results for the 8,000-gallon and 10,000-gallon USTs by August 7, 2023. The Department has assessed a total penalty in the amount of seven thousand, two hundred dollars (\$7,200.00). The Individual/Entity shall pay a civil penalty in the amount of seven thousand, two hundred dollars (**\$7,200.00**) by August 7, 2023.

Update: None.

12) Order Type and Number: Consent Order 23-0097-UST
Order Date: June 21, 2023
Individual/Entity: **H. L. Carter**
Facility: Mr. Bunky's
Location: 10441 Garners Ferry Road
Eastover, SC 29044-9801
Mailing Address: Same
County: Richland
Previous Orders: None.
Permit/ID Number: 07839
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq., § 44-2-10(A) (2018), and the South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.20(c)(1)(ii) (2012 & Supp. 2022).

Summary: H. L. Carter (Individual/Entity) owns and operates underground storage tanks (USTs) in Richland County, South Carolina. Based on a routine inspection conducted on April 12, 2023, the Department issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to maintain overfill prevention equipment of an underground storage tank system.

Action: The Individual/Entity corrected the violation prior to issuance of the Order. The Department has assessed a total civil penalty in the amount of three thousand, six hundred dollars (\$3,600.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, six hundred dollars (**\$3,600.00**).

Update: The Individual/Entity has paid the civil penalty. The Order is closed.

13) Order Type and Number: Consent Order 23-0104-UST

Order Date: June 21, 2023
Individual/Entity: **JH Seale and Son, Inc.**
Facility: Country Boy Store
Location: 2671 Woodrow Road
Sumter, South Carolina 29150
Mailing Address: 870 South Guinard Drive
Sumter, SC 29150
County: Sumter
Previous Orders: None
Permit/ID Number: 18778
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq., § 44-2-10(A) (2018), and the South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.26(f) (2012 & Supp. 2022).

Summary: JH Seale and Son, Inc. (Individual/Entity) is a carrier/supplier of bulk fuels for delivery to underground storage tanks (USTs) in Sumter County, South Carolina. The Department conducted a site visit on April 27, 2023, and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: illegally delivered fuel while an UST was under delivery prohibition.

Action: The Individual/Entity corrected the violation prior to issuance of the Order. The Department has assessed a total civil penalty in the amount of four thousand, five hundred dollars (\$4,500.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand five hundred dollars (**\$4,500.00**).

Update: The Individual/Entity has paid the civil penalty. The Order is closed.

14) Order Type and Number: Consent Order 23-0105-UST
Order Date: June 21, 2023
Individual/Entity: **Anuj Patel**
Facility: Country Boy Store
Location: 2671 Woodrow Road
Sumter, SC 29150
Mailing Address: Same
County: Sumter
Previous Orders: None
Permit/ID Number: 18778
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq., § 44-2-60(A)(2018), and the South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.26 (f) (2012 & Supp 2022).

Summary: Anuj Patel (Individual/Entity) owns a compartmented underground storage tank (UST) in Sumter County, South Carolina. On April 27, 2023, the Department conducted a site visit and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: received an illegal delivery while the UST was

under delivery prohibition.

Action: The Individual/Entity corrected the violation prior to issuance of the Order. The Department has assessed a total civil penalty in the amount of five thousand, two hundred fifty dollars (\$5,250.00). The Individual/Entity is required to pay a total civil penalty in the amount of five thousand, two hundred fifty dollars **(\$5,250.00)** by August 5, 2023.

Update: The Individual/Entity has paid the civil penalty. The Order is closed.

Hazardous Waste Enforcement

- 15) Order Type and Number: Consent Order 23-15-HW
Order Date: June 12, 2023
Individual/Entity: **United States Air Force Shaw Air Force Base**
Facility: United States Air Force Shaw Air Force Base
Location: 428 Chapin Street
Shaw AFB, SC
Mailing Address: Same
County: Sumter
Previous Orders: None
Permit/ID Number: SC7 570 024 466
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018) and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2021).

Summary: The United States Air Force Shaw Air Force Base (Individual/Entity) is an air force base located in Sumter County, South Carolina. The Department conducted an inspection at the facility on January 31, 2023. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to label or clearly mark each container of non-creditable hazardous waste pharmaceuticals with the phrase “Hazardous Waste Pharmaceuticals;” failed to make readily available all records for shipment of creditable hazardous waste pharmaceuticals upon request; failed to make an accurate waste determination; failed to submit a copy of the contingency plan and all revisions to all local emergency responders.

Action: The Individual/Entity corrected all violations prior to the issuance of the Consent Order. The Department has assessed a total civil penalty in the amount of seven thousand dollars (\$7,000.00). The Individual/Entity shall pay a civil penalty in the amount of seven thousand dollars **(\$7,000.00)** by July 12, 2023.

Update: The Individual/Entity has paid the civil penalty. The Order is closed.

- 16) Order Type and Number: Consent Order 23-17-HW
Order Date: June 26, 2023

Individual/Entity: **Plastic Omnium Auto Exteriors, LLC**
Facility: Plastic Omnium Auto Exteriors, LLC
Location: 50 Tyger River Drive
Duncan, SC 29334
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: SCR 000 786 723
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018), and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2021).

Summary: Plastic Omnium Auto Exteriors, LLC (Individual/Entity) is an automotive parts supplier and painter at its facility located in Spartanburg County, South Carolina. The Department conducted an inspection at the facility on February 8, 2023. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations, as follows: failed to clean up hazardous waste spillage that occurred during processing; failed to close containers during accumulation, except when adding and removing hazardous waste; failed to mark or label its containers with an indication of the hazards of the contents; failed to determine if a waste was a hazardous waste; failed to maintain records documenting hazardous waste determinations; failed to revise its Notification Form on file with the Department whenever the generator status became inaccurate; failed to close and properly label universal waste lamps; failed to ensure employees had received universal waste training; failed to ensure personnel took part in a hazardous waste training program and were trained within six (6) months from the date of hire; failed to notify the Department within seventy-two (72) hours of an unplanned episodic event; failed to include/describe an evacuation plan in the Contingency Plan; failed to submit a revised copy of the Contingency Plan and the Quick Reference Guide to the local emergency responders; and failed to include the corrective action date, the time of inspection, and the inspectors name in the weekly hazardous waste inspection log.

Action: The Individual/Entity is required to: submit a Waste Management Plan by August 25, 2023. The Department has assessed a total civil penalty in the amount of eighteen thousand dollars (\$18,000.00). The Individual/Entity shall pay a civil penalty in the amount of eighteen thousand dollars (**\$18,000.00**) by July 26, 2023.

Update: The Individual/Entity has paid the penalty.

Mining Enforcement

17) Order Type and Number: Consent Order of Permit Revocation
23-03-MSWM
Order Date: June 14, 2023
Individual/Entity: **Liston T. Hardee & Son, Inc.**
Facility: Hardee Mine
Location: 0.30 miles west of SC Secondary Highway S-26-348, and 0.75 mile southwest of the intersection of S-26-348 and S-26-915

Mailing Address: 1835 Highway 348
Loris, South Carolina 29569
County: Horry
Previous Orders: None
Permit/ID Number: I-001055
Violations Cited: The South Carolina Mining Act, S.C. code Ann. § 48-20-10 et seq. (2008 & Supp. 2018); the South Carolina Mining Regulation (2012) R.89-210 and R.89-340(B); and the Permit I-001055 Section IX.1.

Summary: Liston T. Hardee & Son, Inc. (Individual/Entity) operates Hardee Mine in Horry County, South Carolina. The Department conducted a records reviews between July 1, 2019 and March 20, 2023. The Individual/Entity has violated the South Carolina Mining Act, the Mining Regulations, and the Permit, as follows: failed to submit the mining annual report and mining annual operating fees.

Action: As of the execution date of the Consent Order, Mining Permit Number I-001055 will be revoked. The Department will obtain the financial assurance for the Mine to complete reclamation activities. Any unused money will be returned to Harold Hardee.

Update: None.

Radiological Health Enforcement

18) Order Type and Number: Consent Order 23-03-RH
Order Date: June 14, 2023
Individual/Entity: **Michelin North America, Inc.**
Facility: Michelin North America, Inc.
Location: 1000 International Drive
Spartanburg, SC 29304
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: License Number 956
Violations Cited: The Atomic Energy and Radiation Control Act, S.C. Code Ann. §§ 13-7-10 et seq. (2017) and the Radioactive Materials (Title A) Regulations, 5 S.C. Code Ann. Regs. 61-63 (2021).

Summary: Michelin North America, Inc. (Individual/Entity), is a tire manufacturer located in Spartanburg County, South Carolina. The Department conducted an inspection at the facility on December 1, 2021. The Individual/Entity has violated the Atomic Energy and Radiation Control Act and the Radioactive Materials (Title A) Regulations as follows: failed to not possess or use byproduct material except as authorized in a specific or general license issued pursuant to the regulations.

Action: The Individual/Entity corrected the violation prior to the issuance of the Consent Order. The Department has assessed a total civil penalty in the amount of ten thousand dollars (\$10,000.00). The Individual/Entity shall pay a civil penalty in the amount of ten thousand dollars (**\$10,000.00**) by July 14, 2023.

Update: The Individual/Entity has paid the civil penalty. The Order is closed.

- 19) Order Type and Number: Consent Order 23-02-RH
Order Date: June 26, 2023
Individual/Entity: **Thomas B. Stoddard, DMD**
Facility: Thomas B. Stoddard, DMD
Location: 1112 Grace Street
Greenwood, SC 29649
Mailing Address: Same
County: Greenwood
Previous Orders: None
Permit/ID Number: Registration 24-2522
Violations Cited: The Atomic Energy and Radiation Control Act, S.C. Code Ann. § 13-7-10 et seq. (2017) and the X-Rays (Title B) Regulations, 6 S.C. Code Ann. Regs. 61-64 (2021).

Summary: Thomas B. Stoddard, DMD (Individual/Entity) operates a dental practice in Greenwood County, South Carolina. The Department conducted an inspection at the facility on August 2, 2023. The Individual/Entity has violated Atomic Energy and Radiation Control Act and the X-Rays (Title B) Regulations as follows: failed to conduct equipment performance tests on the required frequency and retain records of testing results; failed to maintain interlock on door or moveable panel; and failed to maintain documentation that operators had completed training on equipment.

Action: The Individual/Entity corrected all violations prior to the issuance of the Consent Order. The Department has assessed a total civil penalty in the amount of two thousand, seven hundred fifty dollars (\$2,750.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, seven hundred fifty dollars (**\$2,750.00**) by July 30, 2023.

Update: The Individual/Entity has paid the civil penalty. The Order is closed.

BUREAU OF WATER

Drinking Water Enforcement

- 20) Order Type and Number: Consent Order 23-014-DW
Order Date: June 2, 2023
Individual/Entity: **Audrey Richards, Individually and d.b.a. Andrea Court**
Facility: Andrea Court
Location: 1610 Double Branch Road
West Columbia, SC 29169
Mailing Address: 1625 Double Branch Road
West Columbia, SC 29169
County: Lexington

Previous Orders: None
Permit/ID Number: 3279033
Violations Cited: S.C. Code Ann. Regs. 61-58.7 & 61-58.8.B

Summary: Audrey Richards, Individually and d.b.a. Andrea Court (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Lexington County, South Carolina. The Department conducted an inspection on February 14, 2023, and the PWS was rated unsatisfactory for failure to properly operate and maintain. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: there was no sanitary seal, well pad, or well cover; there was no check valve or blow-off; there was exposed electrical wiring and no junction box; the wellhead piping was buried and too low to the ground; there were objects and debris stored inside the well house that were not associated with the well or the storage tank; the storage tank was dirty and could not be isolated; the well house was dirty with insect activity; there was no procedures manual with programs and logs; there was an old well inside the well house; there was no emergency plan; and the well serving the system was permitted as a residential well.

Action: The Individual/Entity is required to: connect to the City of West Columbia by September 1, 2023, and submit a written request for the intended use of the well serving the system and the old well inside the well house within fifteen days of completion of the connection. The Individual/Entity will be required to submit to the Department a corrective action plan and schedule to address the deficiencies within sixty days of the date of written notification by the Department if the requirement to connect to the City of West Columbia is not met within the specified timeline. The Department has assessed a total civil penalty in the amount of eight thousand dollars (\$8,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of eight thousand dollars (**\$8,000.00**) should any requirement of the Order not be met.

Update: The City of West Columbia has installed a water main that runs in front of the residences on Andrea Court, and the individual meters boxes have also been installed.

Water Pollution Enforcement

- 21) Order Type and Number: Consent Order 23-025-W
Order Date: June 6, 2023
Individual/Entity: **Berkeley County School District**
Facility: Oakley Maintenance Facility
Location: Moncks Corner, SC 29461
Mailing Address: 2226 Old Hwy 52
County: Berkeley
Previous Orders: None
Permit/ID Number: SC0026867
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110 (d) and Water Pollution Control Permits Regulation, S.C. Code Ann Regs. 61-9.122.41(a), and NPDES SC0026867

Summary: Berkeley County School District (Individual/Entity) owns and is responsible for the proper operation and maintenance of its wastewater treatment facility

(WWTF) in Berkeley County, South Carolina. On April 21, 2023, a Notice of Alleged Violation (NOAV) was issued as a result of Escherichia coli (E.coli) violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to comply with limitations of NPDES Permit SC0026867 for E.coli.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the violations by July 6, 2023; conduct a six (6) monitoring event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of four thousand , five hundred dollars (\$4,500.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, five hundred dollars (**\$4,500.00**) by July 6, 2023.

Update: The Individual/Entity has paid the civil penalty and submitted a written completion date for all corrective actions.

22) Order Type and Number: Consent Order 23-026-W
Order Date: June 6, 2023
Individual/Entity: **Hilton Head No. 1 Public Service District**
Facility: Hilton Head PSD WWTF
Location: 21 Oak Park Drive
Hilton Head, SC 29926
Mailing Address: Same
County: Beaufort
Previous Orders: 23-008-W (\$3,500.00)
Permit/ID Number: SC0046191
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d), and Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41(a)

Summary: Hilton Head No. 1 Public Service District (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Beaufort County, South Carolina. The Individual/Entity reported violations of chronic toxicity (CTOX) on discharge monitoring reports (DMRs) submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation in that it failed to comply with the permitted effluent limitations for CTOX.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve effluent violations by July 6, 2023; conduct a six (6) monitoring event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of two thousand, eight hundred dollars (\$2,800.00). The Individual/Entity shall pay the civil penalty in the amount of two thousand, eight hundred dollars (**\$2,800.00**) by June 6, 2023.

Update: None.

23) Order Type and Number: Consent Order 23-027-W
Order Date: June 9, 2023
Individual/Entity: **Charleston County School District – Lincoln High**
Facility: Charleston County School District – Lincoln High WWTF
Location: 3999 Bridgeview Dr
North Charleston, SC 29405
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit/ID Number: ND0073016
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d); Water Pollution Control Permits, S.C. Code Ann. Regs. 61-.122.21(d); 61-9.122.41(a), and State Land Application Permit No. ND0073016, Part II.B.

Summary: Charleston County School District – Lincoln High (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Charleston County, South Carolina. On January 10, 2023, a Notice of Violation (NOV) was issued to the Individual/Entity for failure to reapply for permit coverage within one hundred eighty (180) days before the existing permit expired. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permit Regulations as follows: failed to submit a permit renewal application for renewal of the NPDES Permit at least one hundred eighty (180) days before the existing permit expired.

Action: The Individual/Entity is required to continue to operate the WWTF in accordance with State Land Application Discharge Permit # ND0073016, until a new permit issued by the Department becomes effective; and submit an administratively complete application for the renewal of State Land Application Discharge Permit # ND0073016 by June 24, 2023. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay the civil penalty in the amount of one thousand dollars (**\$1,000.00**) by June 6, 2023.

Update: The Individual/Entity has submitted the required permit renewal application and has paid the civil penalty.

24) Order Type and Number: Consent Order 23-028-W
Order Date: June 14, 2023
Individual/Entity: **Town of Moncks Corner**
Facility: Moncks Corner WWTF
Location: Moncks Corner, SC 29461
Mailing Address: P.O. Box 266
County: Berkeley
Previous Orders: None
Permit/ID Number: SC0021598
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110 (d) and Water Pollution Control Permits Regulation, S.C. Code Ann Regs. 61-9.122.41(a), and NPDES SC0021598

Summary: The Town of Moncks Corner (Individual/Entity) owns and is responsible for the proper operation and maintenance of its wastewater treatment facility (WWTF) in Berkeley County, South Carolina. On January 24, 2023, a Notice of Alleged Violation (NOAV) was issued as a result of Escherichia coli (E.coli) violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to comply with limitations of NPDES Permit SC0021598 for E.coli.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the violations by July 14, 2023; conduct a six (6) monitoring event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of three thousand, five hundred dollars (\$3,500.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand five hundred dollars (**\$3,500.00**) by July 14, 2023.

Update: The Individual/Entity has paid the civil penalty and submitted a written completion date for all corrective actions. The monitoring events are complete. The Order is closed.

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| 25) <u>Order Type and Number:</u> | Consent Order 23-029-W |
| <u>Order Date:</u> | June 28, 2023 |
| <u>Individual/Entity:</u> | Town of Bowman |
| <u>Facility:</u> | Town of Bowman WWTF |
| <u>Location:</u> | Secondary Road #36 Bowman, SC 29018 |
| <u>Mailing Address:</u> | P.O. Box 37 Bowman, SC 29018 |
| <u>County:</u> | Orangeburg |
| <u>Previous Orders:</u> | 21-040-W (\$3,000.00) 21-078-W (\$9,000.00) |
| <u>Permit/ID Number:</u> | SC0040037 |
| <u>Violations Cited:</u> | Pollution Control Act, S.C. Code Ann. § 48-1-110(d) and Water Pollution Control Permits Regulation S.C. Code Ann. Regs. 61-9.122.41(a) |

Summary: Town of Bowman (Individual/Entity) owns and is responsible for a wastewater treatment facility (WWTF) located in Orangeburg County, South Carolina. The Individual/Entity reported violations of total residual chlorine (TRC), ammonia-nitrogen (ammonia), Escherichia coli (E.coli), and total suspended solids percent removal (TSS % removal) on discharge monitoring reports (DMRs) submitted to the Department. The Individual/Entity has violated the Pollution Control Act and the Water Pollution Control Permits Regulation, as follows: failed to comply with the permitted effluent limitations for TRC, ammonia, E.coli, and TSS % removal.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the effluent violations by July 28, 2023; conduct a six (6) monitoring event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF

should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of four thousand, eight hundred dollars (\$4,800.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, eight hundred dollars (**\$4,800.00**) by July 28, 2023.

Update: None.

26) Order Type and Number: Consent Order 23-030-W
Order Date: June 28, 2023
Individual/Entity: **Town of Lexington**
Facility: Water Gate WWTF
Location: end of Old Chapin Road within the gated
Lands End Condo Complex, Lexington, SC
Mailing Address: 111 Maiden Lane
Lexington, SC 29072
County: Lexington
Previous Orders: None
Permit/ID Number: SC0027162
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110 (d); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41 (a)

Summary: The Town of Lexington (Individual/Entity) is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Lexington County, South Carolina. On April 7, 2022, a Notice of Violation was issued as a result of violations of the permitted discharge limits for ammonia-nitrogen (ammonia) and biochemical oxygen demand (BOD) as reported on discharge monitoring reports submitted to the Department. On October 19, 2022, a Notice of Violation was issued as a result of violations of the permitted discharge limits for dissolved oxygen (DO) as reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent discharge limits of its National Pollutant Discharge Elimination System permit for ammonia, BOD, and DO.

Action: The Individual/Entity is required to: effect the complete elimination of the discharge from the Water Gate WWTF through connection to the regional system unless an extension is provided at the request of the Individual/Entity by Department staff per a Closure Plan Approval Letter. The Department has assessed a total civil penalty in the amount of nine thousand eight hundred dollars (\$9,800.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of nine thousand eight hundred dollars (**\$9,800.00**) should any requirement of the Order not be met.

Update: None

BUREAU OF AIR QUALITY

27) Order Type and Number: Consent Order 23-008-A
Order Date: June 6, 2023
Individual/Entity: **John David Weir III and Creative Scapes, LLC**

Facility: N/A
Location: 3105 Highway 72-221 East
Greenwood, SC 29469
Mailing Address: Same
County: Greenwood
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. Regs 61-62.2, *Prohibition of Open Burning*

Summary: Mr. John David Weir III (Individual/Entity) is the owner of record for property located in Greenwood County, South Carolina (“Site”). Creative Scapes is a landscaping company located at the Site and operated by Mr. Weir. On July 24, 2021, the Department conducted an investigation in response to a complaint of open burning. The Individual/Entity has violated South Carolina Air Pollution Control Regulations as follows: burned materials other than those allowed by Section I of the Open Burning Regulations, specifically land clearing debris generated off-site.

Action: The Individual/Entity is required to: henceforth cease all open burning except as permitted by the regulations. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**) by July 6, 2023.

Update: The Individual/Entity has paid the civil penalty.

28) Order Type and Number: Consent Order 23-010-A
Order Date: June 28, 2023
Individual/Entity: **Edisto Shellfish/Lee Taylor**
Facility: Edisto Shellfish
Location: 4000 Faber Place Drive, Suite 300
North Charleston, SC 29438
Mailing Address: 7448 Ethel Post Office Road
Meggett, SC 29449
County: Charleston
Previous Orders: None
Permit/ID Number: None
Violations Cited: S.C. Code Ann. Regs 61-62.2, *Prohibition of Open Burning*

Summary: Edisto Shellfish is the owner of record for property located in Charleston County, South Carolina (“Site”). On November 15, 2021, a Department inspector conducted an investigation in response to a complaint of open burning at the Site. The Individual/Entity has violated South Carolina Air Pollution Control Regulations as follows: burned materials specifically commercial waste that includes portions of a treated wood or fiberglass boat and plastic fencing.

Action: The Individual/Entity is required to henceforth cease all open burning at the site except which is allowed under the regulations. The Department has assessed a total civil penalty in the amount of seven thousand dollars (\$7,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of seven thousand dollars (**\$7,000.00**) should any requirement of the Order not be met.

Update: None.

29) Order Type and Number: Consent Order 23-011-A
Order Date: June 28, 2023
Individual/Entity: **Ladson Wood Recycling, LLC**
Facility: Ladson Wood Recycling, LLC
Location: 9421 Highway 78
Ladson, SC 29469
Mailing Address: 3105 Highway 72-221 East
Ladson, SC 29456
County: Berkeley
Previous Orders: None
Permit/ID Number: None
Violations Cited: S.C. Code Ann. Regs 61-62.2, *Prohibition of Open Burning*

Summary: Ladson Wood (Individual/Entity) is a land clearing business located in Berkeley County, South Carolina. On August 12, 2021, and March 1, 2022, a Department inspector conducted an investigation in response to a complaint of open burning. The Individual/Entity has violated South Carolina Air Pollution Control Regulations as follows: burned materials, specifically solid wastes, including plastic, cardboard, polystyrene foam and household waste.

Action: The Individual/Entity is required to: immediately and henceforth cease all open burning except as in compliance the regulations. The Department has assessed a total civil penalty in the amount of ten thousand dollars (\$10,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of ten thousand dollars (**\$10,000.00**) should any requirement of the Order not be met.

Update: None.

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

On-Site Wastewater Enforcement

30) Order Type and Number: Administrative Order 23-045-OSWW
Order Date: May 18, 2023
Individual/Entity: **Gene Pukhalsky**
Facility: Gene Pukhalsky
Location: 407 Hickory Nut Drive
Inman, SC 29349
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Gene Pukhalsky (Individual/Entity) owns property located in Spartanburg County, South Carolina. The Department conducted a review of Department records prior to February 2, 2023, and determined that no Approval to Operate was issued for the site. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: allowing a dwelling unit, building, business, or other structure to be occupied more than two hours per day without an approved method for the treatment and disposal of domestic wastewater.

Action: The Individual/Entity is required to apply for an OSWW system within five (5) days and install the OSWW system within ten (10) days of issuance of a permit to effectively stop the use of the installed unapproved OSWW system; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

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| 31) <u>Order Type and Number:</u> | Administrative Order 23-046-OSWW |
| <u>Order Date:</u> | May 18, 2023 |
| <u>Individual/Entity:</u> | Aleksander Kashtannikova and Yevgeniya Kashtannikova |
| <u>Facility:</u> | Aleksander Kashtannikova and Yevgeniya Kashtannikova |
| <u>Location:</u> | 403 Hickory Nut Drive Inman, SC 29349 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Spartanburg |
| <u>Previous Orders:</u> | None |
| <u>Permit Number:</u> | None |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-56 |

Summary: Aleksander Kashtannikova and Yevgeniya Kashtannikova (Individual/Entity) own property located in Spartanburg County, South Carolina. The Department conducted a review of Department records before February 2, 2023, and determined that an Approval to Operate had not been issued for the site. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: allowing a dwelling unit, building, business, or other structure to be occupied more than two hours per day without an approved method for the treatment and disposal of domestic wastewater.

Action: The Individual/Entity is required to apply for an OSWW system within five (5) days and install the OSWW system within ten (10) days of issuance of a permit to effectively stop the use of the installed unapproved OSWW system; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

32) Order Type and Number: Administrative Order 23-049-OSWW
Order Date: May 30, 2023
Individual/Entity: **Grady T. Bell and Helen W. Bell**
Facility: Grady T. Bell and Helen W. Bell
Location: 269 Round Tree Road
Gaffney, SC 29340
Mailing Address: Same
County: Cherokee
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Grady T. Bell and Helen W. Bell (Individual/Entity) owns property located in Cherokee County, South Carolina. The Department conducted an investigation on November 18, 2023, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

33) Order Type and Number: Administrative Order 23-050-OSWW
Order Date: May 30, 2023
Individual/Entity: **Drufus Holder Jr. and Phyllis Holder**
Facility: Drufus Holder Jr. and Phyllis Holder
Location: 102 Matthews Court
Greenville, SC 29611
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Drufus Holder Jr. and Phyllis Holder (Individual/Entity) owns property located in Greenville County, South Carolina. The Department conducted an investigation on April 13, 2023, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite

Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

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| 34) | <u>Order Type and Number:</u> | Administrative Order 23-051-OSWW |
| | <u>Order Date:</u> | May 30, 2023 |
| | <u>Individual/Entity:</u> | Rex Residential Property Owner II, LLC |
| | <u>Facility:</u> | Rex Residential Property Owner II, LLC |
| | <u>Location:</u> | 215 Blalock Road Boiling Springs, SC 29316 |
| | <u>Mailing Address:</u> | 1505 King Street Ext, Ste 100 North Charleston, SC 29405 |
| | <u>County:</u> | Spartanburg |
| | <u>Previous Orders:</u> | None |
| | <u>Permit Number:</u> | None |
| | <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-56 |

Summary: Rex Residential Property Owner II, LLC (Individual/Entity) owns property located in Spartanburg County, South Carolina. The Department conducted an investigation on April 12, 2023, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

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| 35) | <u>Order Type and Number:</u> | Administrative Order 23-052-OSWW |
| | <u>Order Date:</u> | May 30, 2023 |

Individual/Entity: **Horace Lee Manley and Mary Carolyn Manley**
Facility: Horace Lee Manley and Mary Carolyn Manley
Location: 226 Holder Street
Pickens, SC 29671
Mailing Address: Same
County: Pickens
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Horace Lee Manley and Mary Carolyn Manley (Individual/Entity) own property located in Pickens County, South Carolina. The Department conducted an investigation on April 14, 2023, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

36) Order Type and Number: Administrative Order 23-055-OSWW
Order Date: May 30, 2023
Individual/Entity: **Jeff Collins**
Facility: Jeff Collins
Location: 4203 Old Easley Bridge Road
Greenville, SC 29642
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Jeff Collins (Individual/Entity) owns property located in Greenville County, South Carolina. The Department conducted an investigation on February 15, 2023, and observed buildings occupied for more than two (2) hours per day without an approved means of domestic wastewater treatment and disposal. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no building or unit is occupied for more than two (2) hours per day without an approved means of domestic wastewater treatment and disposal.

Action: The Individual/Entity is required to apply for a permit to construct an OSWW system within five (5) days and install the permitted OSWW system within ten (10) days of the issuance of the permit, or immediately vacate the buildings or units. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: On July 27, 2023, the case was referred to the Department's legal counsel.

37) Order Type and Number: Administrative Order 23-056-OSWW
Order Date: May 30, 2023
Individual/Entity: **Maria Rodriguez and Isaac Arriaga**
Facility: Maria Rodriguez and Isaac Arriaga
Location: 640 Cassidy Road
Gaston, SC 29053
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Maria Rodriguez and Isaac Arriaga (Individual/Entity) own property located in Lexington County, South Carolina. The Department conducted an investigation on May 5, 2023, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

38) Order Type and Number: Administrative Order 23-057-OSWW
Order Date: May 30, 2023
Individual/Entity: **Larry Patton**
Facility: Larry Patton
Location: 1606 E Lakewood Drive
Rock Hill, SC 29732
Mailing Address: Same
County: York

Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Larry Patton (Individual/Entity) owns property located in York County, South Carolina. The Department conducted an investigation on April 20, 2023, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has met all requirements of the Order. This Order has been closed.

39) Order Type and Number: Administrative Order 23-058-OSWW
Order Date: May 30, 2023
Individual/Entity: **Ronald Ehrenkauf**
Facility: Ronald Ehrenkauf
Location: 108 Birdie Lane
Fountain Inn, SC 29644
Mailing Address: Same
County: Laurens
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Ronald Ehrenkauf (Individual/Entity) owns property located in Laurens County, South Carolina. The Department conducted an investigation on May 4, 2023, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: On July 25, 2023, the case was referred to the Department's legal counsel.

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