

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
December 8, 2022

_____ 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 October 1, 2022, through October 31, 2022.
3. **FACTS:** For the reporting period of October 1, 2022, through October 31, 2022, the Office of Environmental Affairs issued one hundred two (102) Consent Orders with total assessed civil penalties in the amount of one hundred sixty-three thousand, three hundred fifty dollars (\$163,350.00). Also, five (5) Administrative Orders with total assessed civil penalties in the amount of fifty-nine thousand, nine hundred fifty-one dollars (\$59,951.00) were reported during this period.

| Bureau and Program Area | Administrative Orders | Assessed Penalties | Consent Orders | Assessed Penalties |
|--------------------------------------|-----------------------|--------------------|----------------|---------------------|
| Land and Waste Management | | | | |
| UST Program | 1 | \$28,600.00 | 3 | \$5,320.00 |
| Aboveground Tanks | 1 | \$10,651.00 | 0 | 0 |
| Solid Waste | 1 | \$15,300.00 | 0 | 0 |
| Hazardous Waste | 0 | 0 | 4 | \$48,500.00 |
| SUBTOTAL | 3 | \$54,551.00 | 7 | \$53,820.00 |
| Water | | | | |
| Recreational Water | 0 | 0 | 52 | \$46,680.00 |
| Drinking Water | 0 | 0 | 0 | 0 |
| Water Pollution | 0 | 0 | 3 | \$14,700.00 |
| SUBTOTAL | 0 | 0 | 55 | \$61,380.00 |
| Air Quality | | | | |
| SUBTOTAL | 0 | 0 | 0 | 0 |
| Environmental Health Services | | | | |
| Food Safety | 1 | \$400.00 | 37 | \$44,150.00 |
| Onsite Wastewater | 1 | \$5,000.00 | 3 | \$4,000.00 |
| SUBTOTAL | 2 | \$5,400.00 | 40 | \$48,150.00 |
| OCRM | | | | |
| SUBTOTAL | 0 | 0 | 0 | 0 |
| TOTAL | 5 | \$59,951.00 | 102 | \$163,350.00 |

Submitted by:

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

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
December 8, 2022**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 22-0135-UST
 Order Date: October 12, 2022
 Individual/Entity: **Coosawhatchie CStore, LLC**
 Facility: Coosawhatchie General Store
 Location: 6282 West Frontage Road
 Coosawhatchie, SC 29936

 Mailing Address: Same
 County: Jasper
 Previous Orders: None
 Permit/ID Number: 10422
 Violations Cited: The State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. §§
 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control
 Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.93(a), and 280.110(c) (2012 and
 Supp. 2022).

Summary: Coosawhatchie CStore, LLC (Individual/Entity) owns underground storage tanks (USTs) in Jasper County, South Carolina. On March 7, 2022, the Department conducted a file review and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and South Carolina Underground Storage Tank Control Regulation as follows: failed to demonstrate financial responsibility for an underground storage tank 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 and evidence of financial assurance by December 13, 2022. 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 December 13, 2022.

Update: The Individual/Entity did not file a Request for Review; therefore the Order became effective October 29, 2022.

- 2) Order Type and Number: Consent Order 22-0286-UST
 Order Date: October 3, 2022
 Individual/Entity: **Northeast Real Property**
 Facility: Dana Transportation

Location: 7117 Cross Country Road
Charleston, SC 29418
Mailing Address: P.O. Box 129
Demopolis, Al 36732
County: Charleston
Previous Orders: None
Permit/ID Number: 16846
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. (2018); and 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: Northeast Real Property (Individual/Entity) owns underground storage tanks (USTs) in Charleston County, South Carolina. On July 6, 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 demonstrate financial responsibility for an UST system and failed to submit evidence of financial assurance to the Department upon request.

Action: The Individual/Entity shall submit a completed Certificate of Financial Responsibility and evidence of financial assurance by November 17, 2022. The Department has assessed a total civil 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 seven hundred twenty dollars (**\$720.00**) by November 17, 2022, 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: All compliance documentation and the civil penalty have been received. This Order has been closed.

3) Order Type and Number: Consent Order 22-0133-UST
Order Date: October 6, 2022
Individual/Entity: **Cliff Canty**
Facility: Cliff's Food Store 6
Location: 326 West Hampton Highway
Olanta, SC 29114
Mailing Address: 589 Cooktown Road
Lake City, SC 29560
County: Florence
Previous Orders: None
Permit/ID Number: 15180
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-60(A) et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.31(b)(1), 280.70(a) and 280.70(c) (2012 & Supp 2022).

Summary: Cliff Canty (Individual/Entity) owns an underground storage tank (UST) in Florence County, South Carolina. The Department conducted an inspection and issued a Notice of Alleged Violation on March 18, 2022. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation,

as follows: failed to have a corrosion protection system inspected by a qualified tester every three years; failed to maintain corrosion protection or appropriate release detection on a temporarily closed UST; and failed to properly abandon a temporarily closed UST system after twelve (12) months.

Action: The Individual/Entity is required to: submit a Tank & Sludge Disposal form for the permanent closure of the UST at the Facility by November 21, 2022; within thirty (30) days of the Department's approval of the form, permanently close the UST; and within sixty (60) days of permanent closure, submit an UST Closure and Assessment Report. The Department has assessed a total civil penalty in the amount of sixteen thousand dollars (\$16,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**) by October 21, 2022 and pay a suspended penalty in the amount of fifteen thousand dollars (\$15,000.00) should any requirement of the Order not be met.

Update: The Individual/Entity has paid the civil penalty. The UST has been permanently closed. The UST Closure and Assessment Report is due January 20, 2023.

4) Order Type and Number: Consent Order 22-0266-UST
Order Date: October 14, 2022
Individual/Entity: **Upstate Venture Group, LLC**
Facility: BP on 85
Location: 901 North Mountain Street
Blacksburg, SC 29702
Mailing Address: Same
County: Cherokee
Previous Orders: None
Permit/ID Number: 10818
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. §§ 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.41(b)(2)(i) (2012 & Supp 2022).

Summary: Upstate Venture Group, LLC (Individual/Entity) owns and operates underground storage tanks (USTs) in Cherokee County, South Carolina. On June 8, 2022, 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 equip a pressurized line with an automatic line leak detector.

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**) by November 28, 2022.

Update: The civil penalty has been paid in full and the Order is closed.

Aboveground Storage Tank Enforcement

5) Order Type and Number: Administrative Order 21-01-AST

Order Date: October 6, 2022
Individual/Entity: **Audi's Holdings, LLC**
Facility: Sarah's Tobacco #3
Location: 1307 Dudley Road
Marion, SC 29571
Mailing Address: 4703 Briarfield Road
Columbia, SC 29206
County: Marion
Previous Orders: None
Permit/ID Number: 18716
Violations Cited: The South Carolina Pollution Control Act
(PCA), S.C. Code Ann. § 48-1-10 et seq. (2008 and Supp. 2021).

Summary: Audi's Holdings, LLC (Individual/Entity) owns aboveground storage tanks (ASTs) in Marion County, South Carolina. On January 18, 2019, the Department conducted a file review and issued a Notice of Alleged Violation. The Individual/Entity has violated the South Carolina Pollution Control Act, as follows: failed to investigate and sample discharges based on the procedures, methods, intervals and locations prescribed by the Department; failed to develop and provide control and prevention information and other such information as the Department may reasonable require; and failed to ensure that discharges into the environment of the State do not occur, without a permit issued by the Department.

Action: The Individual/Entity is required to submit a Tier I Assessment Report. The Department has assessed a total civil penalty in the amount of nineteen thousand, six hundred fifty-one dollars (\$19,651.00). The Individual/Entity shall pay a civil penalty in the amount of nineteen thousand, six hundred fifty-one dollars (**\$19,651.00**) by December 6, 2022.

Update: The Individual/Entity did not submit a Request for Review; therefore, the Order became effective October 22, 2022.

Solid Waste Enforcement

6) Order Type and Number: Administrative Order 22-18-SW
Order Date: September 29, 2022
Individual/Entity: **Heyward Swift**
Facility: N/A
Location: 151 Royster Road
Townville, SC
Mailing Address: 214 Bowen Drive
Anderson, SC 29621
County: Anderson
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, S.C. Code Ann. §§ 44-96-10 (2018 & Supp. 2019) (Act) and the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation (2015) (Regulation), R.61-107.19, Part I.A.8., Part III.B.6., and Part IV.A.3.

Summary: Heyward Swift (Individual/Entity), owns property located in Anderson County, South Carolina. The Department conducted inspections on November 17, 2021, March 7, 2022, and April 12, 2022. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act and the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation as follows: operated a Class One and Class Two landfill prior to obtaining a permit from the Department.

Action: The Individual/Entity is required to: immediately cease receipt and/or transport of solid waste debris onto the site; remove and properly dispose of all solid waste debris from the site at a permitted solid waste management facility and provide disposal receipts to the Department by November 28, 2022. The Department assessed a total civil penalty in the amount of fifteen thousand, three hundred dollars (\$15,300.00). The Individual/Entity shall pay a civil penalty in the amount of fifteen thousand, three hundred dollars (**\$15,300.00**) by November 28, 2022.

Update: The Individual/Entity did not file a Request for Review; therefore, the Order became effective October 14, 2022.

Hazardous Waste Enforcement

- 7) Order Type and Number: Consent Order 22-16-HW
Order Date: October 14, 2022
Individual/Entity: **Lexington Health, Inc. d/b/a Lexington Medical Center**
Facility: Lexington Health, Inc. d/b/a Lexington Medical Center
Location: 2720 Sunset Boulevard
West Columbia, SC 29169
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: SCR 000 000 430
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: Lexington Health, Inc. d/b/a Lexington Medical Center (Individual/Entity) is a hospital located in Lexington County, South Carolina. The Department conducted an inspection at the facility on June 6, 2022. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to accumulate hazardous waste under the control of the operator of the process where the waste was generated; failed to mark or label containers with the words "Hazardous Waste," accumulation start dates, and an indication of the hazards of the contents; failed to keep containers closed except when adding or removing waste; failed to maintain written job descriptions and job titles for each position related to hazardous waste management and the name of the employee filling that position; failed to maintain the type and amount of both introductory and continuing training; failed to describe the arrangements made with local emergency responders in the Contingency Plan; failed to submit a copy of the Contingency Plan and

the Quick Reference Guide to the local emergency responders; failed to record the time weekly hazardous waste inspections were conducted; failed to have containers of non-creditable hazardous waste pharmaceuticals closed and labeled with the phrase “Hazardous Waste Pharmaceuticals”; failed to demonstrate the length of time non-creditable hazardous waste pharmaceuticals had been accumulated from the date it became a waste; failed to determine whether potentially creditable pharmaceuticals were potentially creditable hazardous waste pharmaceuticals; and failed to label containers of universal waste lamps and contain any lamps in a manner to prevent a release and to keep such containers closed.

Action: The Individual/Entity corrected the violations prior to the issuance of the Order. The Department assessed a total civil penalty in the amount of seventeen thousand, five hundred dollars (\$17,500.00). The Individual/Entity is required to pay a civil penalty in the amount of seventeen thousand, five hundred dollars (**\$17,500.00**) by November 15, 2022.

Update: The civil penalty has been paid in full and the Order is closed.

8) Order Type and Number: Consent Order 22-19-HW
Order Date: October 19, 2022
Individual/Entity: **Cogsdill Tool Products, Inc.**
Facility: Cogsdill Tool Products, Inc.
Location: 1001 Guion Drive
Lugoff, SC 29020
Mailing Address: Same
County: Kershaw
Previous Orders: None
Permit/ID Number: SCD 005 320 544
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018), the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2021).

Summary: Cogsdill Tool Products, Inc. (Individual/Entity) is a manufacturer of roller burnishing, deburring and CNC controlled boring, facing, and contouring precision tools at its facility located in Kershaw County, South Carolina. The Department conducted an inspection at the facility on May 20, 2022. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to mark or label containers with the words “Hazardous Waste,” accumulation start dates, and an indication of the hazards of the contents; failed to perform weekly hazardous waste inspections; failed to ensure personnel take part in a hazardous waste training program and an annual review; failed to maintain a written description of the type and amount of both introductory and continuing training given to personnel; failed to include in the Contingency Plan, a list of all emergency equipment at the facility along with its capabilities; and failed to submit a copy of the Contingency Plan and the Quick Reference Guide to local emergency responders.

Action: The Individual/Entity corrected the violations prior to the issuance of the Order. The Department assessed a total civil penalty in the amount of fourteen thousand five hundred dollars (\$14,500.00). The Individual/Entity is required to pay a civil penalty

in the amount of fourteen thousand five hundred dollars (**\$14,500.00**) by December 19, 2022.

Update: None at the time of the report.

- 9) Order Type and Number: Consent Order 22-17-HW
Order Date: October 21, 2022
Individual/Entity: **Maaco Collision Repair and Auto Painting**
Facility: Maaco Collision Repair and Auto Painting
Location: 5786 Dorchester Road
North Charleston, SC 29418
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit/ID Number: SCR 000 002 030
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: Maaco Collision Repair and Auto Painting (Individual/Entity), specializes in auto repair and painting at its facility located in Charleston County, South Carolina. The Department conducted an inspection on May 12, 2022. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to mark or label containers with the words “Hazardous Waste,” an indication of the hazards of the contents, and accumulation start dates; failed to keep containers closed except when adding or removing waste; failed to, at least weekly, inspect central accumulation areas; failed to attempt to make arrangements and maintain records documenting arrangements made with local emergency responders; failed to ensure an emergency coordinator be on the premises or on call; failed to post the name and number of the emergency coordinator, the location of fire extinguishers, spill control materials, and the telephone number of the fire department next to the phone; and failed to declare its generator status.

Action: The Individual/Entity corrected the violations prior to the issuance of the Order. The Department 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**) in accordance with the terms of a promissory note beginning November 1, 2022.

Update: The Individual/Entity is making payments in accordance with the promissory note.

- 10) Order Type and Number: Consent Order 22-18-HW
Order Date: October 27, 2022
Individual/Entity: **Clarios, LLC**
Facility: Clarios, LLC
Location: 1204 Old Walhalla Highway
West Union, SC 29696
Mailing Address: Same

County: Oconee
Previous Orders: None
Permit/ID Number: SCD 981 922 404
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018), the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2021), the South Carolina Solid Waste Policy and Management Act of 1991, S.C. Code Ann. §§ 44-96-10 et seq. (2018 and Supp. 2021), and the South Carolina Solid Waste Management: Used Oil Regulations, 8 S.C. Code Ann. Regs. 61-107.279 (2012 and Supp. 2021).

Summary: Clarios, LLC (Individual/Entity) is a manufacturer of car battery components specializing in lead strip casting at its facility located in Oconee County, South Carolina. The Department conducted an inspection at the facility on July 7, 2022. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act, the Hazardous Waste Management Regulations, the South Carolina Solid Waste Policy and Management Act, and the Used Oil Regulations as follows: failed to determine if a solid waste was a hazardous waste; failed to keep containers closed except when adding or removing waste; failed to mark or label containers with the words “Hazardous Waste,” accumulation start dates, and an indication of the hazards of the contents; failed to maintain written job descriptions that included the requisite skills, education, qualifications, and duties for personnel assigned to each position; failed to label universal waste lamps with the words “Universal Waste – Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s);” failed to amend the Contingency Plan whenever the list of emergency coordinators changed; and failed to label containers of used oil with the words “Used Oil.”

Action: The Individual/Entity is required to: submit analytical results and a waste profile for the lead dust waste, documentation demonstrating the list of emergency coordinators listed in the Contingency Plan and Quick Reference Guide are accurate; and written job descriptions that included the requisite skills, education, qualifications, and duties for personnel assigned to each position by November 28, 2022. The Department assessed a total civil penalty in the amount of twelve thousand dollars (\$12,000.00). The Individual/Entity is required to pay a civil penalty in the amount of twelve thousand dollars (**\$12,000.00**) by November 28, 2022.

Update: None at the time of the report.

BUREAU OF WATER

Recreational Waters Enforcement

- 11) Order Type and Number: Consent Order 22-134-RW
Order Date: October 3, 2022
Individual/Entity: **Hilton Head Lakes North Owners Association**
Facility: Hilton Head Lakes North
Location: 2000 Club Way
Hardeeville, SC 29927

Mailing Address: 1040 William Hilton Parkway
Hilton Head Island, SC 29928
County: Jasper
Previous Orders: None
Permit/ID Number: 27-1020D
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Hilton Head Lakes North Owners Association (Individual/Entity) owns and is responsible for the proper operation and maintenance of a spa located in Jasper County, South Carolina. The Department conducted inspections on June 29, 2022, and August 9, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the chlorine and pH levels were not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; and the thermometer that monitors the spa temperature was not working properly.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 17, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

12) Order Type and Number: Consent Order 22-136-RW
Order Date: October 3, 2022
Individual/Entity: **Scion Columbia Apartments, LLC**
Facility: Redpoint Columbia
Location: 1050 Southern Drive
Columbia, SC 29201
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 40-1107B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Scion Columbia Apartments, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department conducted inspections on June 29, 2022, and July 29, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was missing bumpers; there was pool furniture in the pool; the pool floor was dirty; the deck was uneven with sharp edges; there was debris in the skimmer baskets; the water level was too high on the first inspection and too low on the second inspection; the drinking water fountain was not operating; the chlorine and pH levels were not within the acceptable range of water quality standards; the shepherd's crook was missing a bolt; the bound and numbered log book was not maintained on a daily basis; the cyanuric acid level was not recorded weekly in the bound and numbered log book; a depth marker tile was broken; the waterline tiles were dirty; and the bound and numbered log book was not maintained a minimum of three times per week by the pool operator of record.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The

Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 11, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

- 13) Order Type and Number: Consent Order 22-137-RW
Order Date: October 3, 2022
Individual/Entity: **Gregg Park Homeowners Association**
Facility: Gregg Park
Location: 71 Gregg Parkway
Columbia, SC 29206
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 40-309-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Gregg Park Homeowners Association (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department conducted inspections on June 20, 2022, and July 21, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pool furniture was not at least four feet from the pool edge; there was debris in the skimmer baskets; the chlorine level was not within the acceptable range of water quality standards; the main drain grate was loose; and the pool rules sign was not legible.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 12, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

- 14) Order Type and Number: Consent Order 22-138-RW
Order Date: October 3, 2022
Individual/Entity: **Charleston Foundry Owner, LLC**
Facility: Foundry Point Apartments
Location: 20 Romney Street
Charleston, SC 29403
Mailing Address: 2108 Monrovia Street, Suite 100
Charleston, SC 29405
County: Charleston
Previous Orders: None
Permit/ID Number: 10-1375B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Charleston Foundry Owner, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on July 5, 2022, and August 3, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the

chlorine level was not within the acceptable range of water quality standards; the bound and numbered log book was not maintained on a daily basis; and the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 16, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

15) Order Type and Number: Consent Order 22-139-RW
Order Date: October 3, 2022
Individual/Entity: **35 Folly, LLC**
Facility: 35 Folly Apartments
Location: 35 Folly Road
Charleston, SC 29425
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit/ID Number: 10-1253B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: 35 Folly, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on July 5, 2022, and August 2, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the drinking water fountain and foot rinse shower were not operating properly; the gate did not self-close and latch; the pH level was not within the acceptable range of water quality standards; the pool rules sign was not completely filled out; and the bound and numbered log book was not maintained on a daily basis.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 20, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

16) Order Type and Number: Consent Order 22-140-RW
Order Date: October 3, 2022
Individual/Entity: **MCG Charlotte Mill House, DST**
Facility: Mill House Apartments
Location: 820 Clawson Place
Fort Mill, SC 29715
Mailing Address: Same
County: York
Previous Orders: None
Permit/ID Number: 46-1224B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: MCG Charlotte Mill House, DST (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in York County, South Carolina. The Department conducted inspections on June 27, 2022, and August 9, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the bound and numbered log book was not available for review on the first inspection; the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book on the second inspection; and the foot rinse shower was not operating properly.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 16, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

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|-----------------------------------|--|
| 17) <u>Order Type and Number:</u> | Consent Order 22-141-RW |
| <u>Order Date:</u> | October 4, 2022 |
| <u>Individual/Entity:</u> | Adlerian Child Care Center and Kindergarten, Inc. |
| <u>Facility:</u> | Adlerian Child Care Center |
| <u>Location:</u> | 7817 Broad River Road Irmo, SC 29063 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Richland |
| <u>Previous Orders:</u> | None |
| <u>Permit/ID Number:</u> | 40-310-1 |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-51(J) |

Summary: Adlerian Child Care Center and Kindergarten, Inc. (Individual/Entity) leases and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department conducted inspections on June 28, 2022, and August 3, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: skimmers were missing weirs; the pool equipment room was not locked; a gate did not self-close and latch; the chlorine level was not within the acceptable range of water quality standards; the facility address was not posted at the emergency notification device; only one “Shallow Water – No Diving Allowed” sign was posted and the sign posted did not have the correct wording; the bound and numbered log book was not maintained on a daily basis and was not maintained a minimum of three times per week by the pool operator of record; the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book; there were chlorine tablets in the skimmer baskets; the pool walls and floor were not visible due to cloudy water; the water level was too low; and the main drain grates were not visible due to cloudy water.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 14, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

- 18) Order Type and Number: Consent Order 22-142-RW
Order Date: October 4, 2022
Individual/Entity: **Timber Creek 2019, LLC**
Facility: Timber Creek Apartments
Location: 501 Camelot Drive
Spartanburg, SC 29301
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: 42-045-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Timber Creek 2019, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Spartanburg County, South Carolina. The Department conducted inspections on June 16, 2022, and August 5, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the lifeline did not have enough floats and the existing floats were damaged; a ladder was missing non-slip tread inserts; the water level was too low; skimmers were missing weirs; a bathroom did not have paper towels or soap; the foot rinse shower was not operating properly; a gate did not self-close and latch; the chlorine level was not within the acceptable range of water quality standards; the life ring did not have a permanently attached rope; the pool rules sign was not completely filled out; the current pool operator of record information was not posted to the public; the bound and numbered log book was not maintained on a daily basis; there was algae present on the pool floor and walls; and there were chlorine tablets in the skimmer baskets.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 18, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

- 19) Order Type and Number: Consent Order 22-143-RW
Order Date: October 4, 2022
Individual/Entity: **Ft. Jackson Hotel Partners, LLC**
Facility: Home 2 Suites
Location: 7340 Garners Ferry Road
Columbia, SC 29209
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 40-1187B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Ft. Jackson Hotel Partners, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland

County, South Carolina. The Department conducted inspections on July 7, 2022, and August 10, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: waterline tiles were dirty; there was debris in the skimmer baskets; the chlorine and pH levels were not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the bound and numbered log book was not available for review on the first inspection; the bound and numbered log book was not maintained on a daily basis on the second inspection; the cyanuric acid level was not recorded weekly in the bound and numbered log book on the second inspection; there were chlorine pucks in the skimmer baskets; skimmers were missing weirs; and a light in the pool wall was out of its niche.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 18, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

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| 20) <u>Order Type and Number:</u> | Consent Order 22-144-RW |
| <u>Order Date:</u> | October 5, 2022 |
| <u>Individual/Entity:</u> | Beach Canalside Lofts, LLC |
| <u>Facility:</u> | Canalside Lofts |
| <u>Location:</u> | 383 Taylor Steet Columbia, SC 29201 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Richland |
| <u>Previous Orders:</u> | None |
| <u>Permit/ID Number:</u> | 40-1094B |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-51(J) |

Summary: Beach Canalside Lofts, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department conducted inspections on May 24, 2022, July 20, 2022, and August 5, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: skimmer baskets were floating; a light in the pool wall was out of its niche; the life ring did not have a permanently attached rope; the shepherd's crook was obstructed; there were no "Shallow Water – No Diving Allowed" signs posted; there were no "No Lifeguard On Duty - Swim At Your Own Risk" signs posted; the current pool operator of record information was not posted to the public; the bound and numbered log book was not maintained a minimum of three times per week by the pool operator of record; the coping was deteriorated; the pool walls, floor, and waterline tiles were dirty; skimmers were missing weirs; the bathrooms were dirty; the bound and numbered log book was not maintained on a daily basis; the cyanuric acid level was not recorded weekly in the bound and numbered log book; the deck was uneven with sharp edges; the water level was too low; and the chlorine level was not within the acceptable range of water quality standards.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of two thousand, forty dollars (\$2,040.00).

The Individual/Entity shall pay a civil penalty in the amount of two thousand, forty dollars (**\$2,040.00**) by October 24, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

21) Order Type and Number: Consent Order 22-145-RW
Order Date: October 6, 2022
Individual/Entity: **Blockade Runner Motor Inn, Inc.**
Facility: Blockade Runner
Location: 1910 North Ocean Boulevard
North Myrtle Beach, SC 29597
Mailing Address: Same
County: Horry
Previous Orders: 19-025-RW (\$680.00)
20-005-RW (\$1,600.00)
Permit/ID Number: 26-G61-1 & 26-G63-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Blockade Runner Motor Inn, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool and a kiddie pool located in Horry County, South Carolina. The Department conducted inspections on July 6, 2022, and August 11, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a gate did not self-close and latch; the cyanuric acid level was above the water quality standards acceptable limit; only one “Shallow Water – No Diving Allowed” sign was posted; the chlorine level was not within the acceptable range of water quality standards; the waterline tiles were dirty; the bound and numbered log book was not available for review; and the water level was too high.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**) by October 19, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

22) Order Type and Number: Consent Order 22-146-RW
Order Date: October 6, 2022
Individual/Entity: **Boiling Springs Apts., LLC**
Facility: Promenade at Boiling Springs
Location: 901 Dornoch Drive
Boiling Springs, SC 29316
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: 42-1028B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Boiling Springs Apts., LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Spartanburg County, South Carolina. The Department conducted inspections on May 27, 2022, and

July 22, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: ladders were not tight and secure; there was algae on the pool wall; a skimmer was missing a weir; the flow meter was not operating during the first inspection and was not operating properly during the second inspection; the chlorine level was not within the acceptable range of water quality standards; the current pool operator of record information was not posted to the public; the bound and numbered log book was not available for review on the first inspection and was not maintained on a daily basis on the second inspection; the disinfection equipment was not operating properly; the bathroom did not have paper towels or a hand dryer; and the drinking water fountain was not operating properly.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 20, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

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| 23) <u>Order Type and Number:</u> | Consent Order 22-147-RW |
| <u>Order Date:</u> | October 6, 2022 |
| <u>Individual/Entity:</u> | 21 National Guard, LLC |
| <u>Facility:</u> | 21 Oaks Apartments |
| <u>Location:</u> | 21 National Guard Road Columbia, SC 29223 |
| <u>Mailing Address:</u> | 4100 East Mississippi Avenue, Suite 700 Denver, CO 80246 |
| <u>County:</u> | Richland |
| <u>Previous Orders:</u> | None |
| <u>Permit/ID Number:</u> | 40-1025B |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-51(J) |

Summary: 21 National Guard, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department conducted inspections on June 24, 2022, and July 29, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: some of the depth marker tiles were broken and some of the tiles were missing; the pool wall and floor were dirty; the deck was uneven with sharp edges; there was no foot rinse shower; the pool equipment room was not locked; a gate did not self-close and latch; the chlorine level was not within the acceptable range of water quality standards; the emergency notification device was not operational and partially obstructed; the bound and numbered log book was not available for review; and there was air in the recirculation system.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 20, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

24) Order Type and Number: Consent Order 22-148-RW
Order Date: October 6, 2022
Individual/Entity: **Lighthouse Tennis Club Owners Assn., Inc.**
Facility: Lighthouse Tennis Club
Location: Lighthouse Road & Plant Drive
Hilton Head Island, SC 29928
Mailing Address: 1040 William Hilton Parkway
Hilton Head Island, SC 29928
County: Jasper
Previous Orders: None
Permit/ID Number: 07-114-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Lighthouse Tennis Club Owners Assn., Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Jasper County, South Carolina. The Department conducted inspections on July 12, 2022, and August 12, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was not tight and secure; the chlorine level was not within the acceptable range of water quality standards; the pool rules sign was not completely filled out and was not legible; the current pool operator of record information was not posted to the public; and the bound and numbered log book was not maintained on a daily basis.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 19, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

25) Order Type and Number: Consent Order 22-149-RW
Order Date: October 10, 2022
Individual/Entity: **Columbia Ft. Jackson, LLC**
Facility: Candlewood Suites
Location: 921 Atlas Road
Columbia, SC 29209
Mailing Address: 8632 Wilkinson Boulevard
Charlotte, NC 28214
County: Richland
Previous Orders: None
Permit/ID Number: 40-1086B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Columbia Ft. Jackson, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department conducted inspections on July 8, 2022, and August 10, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder had a damaged rung and was missing non-slip tread inserts; a ladder rung was upside down; a handrail was not tight and secure; there was algae on the pool floor; the waterline tiles were dirty; the deck was uneven with sharp edges; the water level was too

low; a skimmer was missing a weir; the drinking water fountain was not operating properly; the pool vacuum was in the pool; the chlorine level was not within the acceptable range of water quality standards; only one “Shallow Water – No Diving Allowed” sign was posted and the letters on the sign posted were not the appropriate size; the letters on the “No Lifeguard On Duty – Swim At Your Own Risk” signs posted were not the appropriate size; the current pool operator of record information was not posted to the public on the first inspection; the facility could not produce current valid documentation of pool operator certification on the second inspection; and the log book was not properly bound or numbered.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 20, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

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| 26) | <u>Order Type and Number:</u> | Consent Order 22-150-RW |
| | <u>Order Date:</u> | October 10, 2022 |
| | <u>Individual/Entity:</u> | Ayrshire Homeowners Association, Inc. |
| | <u>Facility:</u> | Ayrshire |
| | <u>Location:</u> | 1091 Archibald Avenue Fort Mill, SC 29708 |
| | <u>Mailing Address:</u> | 130 Ben Casey Drive, Suite 100 Fort Mill, SC 29708 |
| | <u>County:</u> | York |
| | <u>Previous Orders:</u> | CO 20-114-RW (\$680.00) |
| | <u>Permit/ID Number:</u> | 46-1169G |
| | <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-51(J) |

Summary: Ayrshire Homeowners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in York County, South Carolina. The Department conducted inspections on June 27, 2022, and August 9, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the drinking water fountain was not operating properly; the chlorine and pH levels were not within the acceptable range of water quality standards; the letters on the “Shallow Water – No Diving Allowed” signs posted were not the appropriate size; and the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of one thousand, six hundred dollars (\$1,600.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, six hundred dollars (**\$1,600.00**) by October 16, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

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| 27) | <u>Order Type and Number:</u> | Consent Order 22-151-RW |
| | <u>Order Date:</u> | October 10, 2022 |
| | <u>Individual/Entity:</u> | Brushy Meadows Homeowners Association, Inc. |

Facility: Brushy Meadows
Location: 107 Brushy Meadows Drive
Greer, SC 29650
Mailing Address: 219 Meadow Lake Trail
Greer, SC 29650
County: Greenville
Previous Orders: None
Permit/ID Number: 23-457-1 & 23-1075C
Violations Cited: S.C. Code Ann. Regs. 61-51(K)(1)(c)

Summary: Brushy Meadows Homeowners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool and a kiddie pool located in Greenville County, South Carolina. On July 19, 2022, the pool and kiddie pool were inspected, and violations were issued for re-opening prior to receiving Department approval. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pool and kiddie pool were re-opened prior to receiving Department approval.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of seven hundred dollars (\$700.00). The Individual/Entity shall pay a civil penalty in the amount of seven hundred dollars (**\$700.00**) by October 24, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

28) Order Type and Number: Consent Order 22-152-RW
Order Date: October 10, 2022
Individual/Entity: **Bay Pointe Owner, LLC**
Facility: Bay Pointe at Summerville Apartments
Location: 260 Pidgeon Bay Road
Summerville, SC 29483
Mailing Address: Same
County: Dorchester
Previous Orders: None
Permit/ID Number: 18-1088B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Bay Pointe Owner, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Dorchester County, South Carolina. The Department conducted inspections on June 23, 2022, and August 2, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pool furniture was not at least four feet from the edge of the pool; the chlorine level was not within the acceptable range of water quality standards; and the cyanuric acid level was above the water quality standards acceptable limit.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 26, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

29) Order Type and Number: Consent Order 22-156-RW
Order Date: October 11, 2022
Individual/Entity: **The Rock Hill Nest, LLC**
Facility: Rock Hill Nest
Location: 412 Technology Center Way
Rock Hill, SC 29730
Mailing Address: 39 West Montgomery Avenue
Rockville, MD 20850
County: York
Previous Orders: None
Permit/ID Number: 46-1223B & 46-1222D
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: The Rock Hill Nest, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool and a spa located in York County, South Carolina. The Department conducted inspections on July 6, 2022, and July 28, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the chlorine and pH levels were not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the log book was not properly bound or numbered; the log book was not maintained on a daily basis and was not maintained a minimum of three times per week by the pool operator of record; and the cyanuric acid level was not recorded on a weekly basis in the log book.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of one thousand, three hundred sixty dollars (\$1,360.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, three hundred sixty dollars (**\$1,360.00**) by October 27, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

30) Order Type and Number: Consent Order 22-153-RW
Order Date: October 12, 2022
Individual/Entity: **BLX Parkside Owner, LLC**
Facility: Palmilla Apartments
Location: 1385 Ashley River Road
Charleston, SC 29407
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit/ID Number: 10-1269B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: BLX Parkside Owner, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on July 6, 2022, and August 9, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the drinking water fountain was not operating properly; non-pool related items were stored in the pool equipment room; the chlorine level was not within the acceptable range of water

quality standards; the pool rules sign was not completely filled out; and the bound and numbered log book was not maintained on a daily basis.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 1, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

31) Order Type and Number: Consent Order 22-154-RW
Order Date: October 12, 2022
Individual/Entity: **TD North Charleston Hotel, LLC**
Facility: Marriott North Charleston
Location: 4770 Goer Drive
Charleston, SC 29406
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit/ID Number: 10-1283B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: TD North Charleston Hotel, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on June 15, 2022, and August 9, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the drinking water fountain and foot rinse shower were not operating properly; the chlorine and pH levels were not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the pool rules sign did not have all the required rules; the current pool operator of record information was not posted to the public; the log book was not properly bound and numbered on the first inspection; and the bound and numbered log book was not maintained on a daily basis and the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book on the second inspection.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 1, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

32) Order Type and Number: Consent Order 22-155-RW
Order Date: October 12, 2022
Individual/Entity: **Pelican Apts., LLC**
Facility: Pelican Motel
Location: 2310 North Ocean Boulevard
North Myrtle Beach, SC 29582
Mailing Address: Same
County: Horry

Previous Orders: None
Permit/ID Number: 26-008-1 & 26-008-2
Violations Cited: S.C. Code Ann. Regs. 61-51(J) & 61-51(K)(1)(c)

Summary: Pelican Apts., LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool and a kiddie pool located in Horry County, South Carolina. On August 8, 2022, and August 11, 2022, the pool and kiddie pool were inspected, and violations were issued for failure to properly operate and maintain; and on August 8, 2022, violations were issued for re-opening the pool and kiddie pool prior to receiving Department approval. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards; the life ring was deteriorated; the emergency notification device was not accessible; the pool deck was not clear of hazards; the current pool operator of record information was not posted to the public; and the pool and kiddie pool were operating prior to receiving Department approval.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of two thousand forty dollars (\$2,040.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand forty dollars (**\$2,040.00**) by October 17, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

33) Order Type and Number: Consent Order 22-157-RW
Order Date: October 12, 2022
Individual/Entity: **The Montessori Early Learning Center, Inc.**
Facility: Montessori Early Learning Center
Location: 1101 Balsam Road
Columbia, SC 29210
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 40-367-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: The Montessori Early Learning Center, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department conducted inspections on June 7, 2022, and August 1, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pool floor was dirty; the pool deck was not clean and clear of hazards in that there was a strip of raised caulk around the pool edge; there was debris in the skimmer baskets; a skimmer was missing a weir; a gate did not self-close and latch; the chlorine level was not within the acceptable range of water quality standards; only one “No Lifeguard On Duty - Swim At Your Own Risk” sign was posted; the log book was not properly bound or numbered on the first inspection; and the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book on the second inspection.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The

Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 26, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

34) Order Type and Number: Consent Order 22-158-RW
Order Date: October 12, 2022
Individual/Entity: **Corey Gardens Homeowners' Association, Inc.**
Facility: Corey Gardens
Location: 101 Amberwood Drive
Summerville, SC 29483
Mailing Address: 4754 Franchise Street
Charleston, SC 29418
County: Dorchester
Previous Orders: None
Permit/ID Number: 18-069-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Corey Gardens Homeowners' Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Dorchester County, South Carolina. The Department conducted inspections on June 24, 2022, and August 2, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: there were no universal "no diving" tiles; the bathroom did not have paper towels or soap; the drinking water fountain was not operating properly; the fill spout was not stainless steel or equivalent; the facility address was not posted at the emergency notification device; the log book was not properly bound or numbered on the first inspection; and the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book on the second inspection.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 18, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

35) Order Type and Number: Consent Order 22-159-RW
Order Date: October 12, 2022
Individual/Entity: **Strata Sage, LLC**
Facility: Sage at 1240
Location: 1242 Winnowing Way
Mount Pleasant, SC 29464
Mailing Address: 4370 La Jolla Village Drive, Suite 960
San Diego, CA 92122
County: Charleston
Previous Orders: None
Permit/ID Number: 10-1200B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Strata Sage, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on June 3, 2022, July 19, 2022, and August 16, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the waterline tiles were dirty; there was algae on the pool wall and floor; a gate did not self-close and latch; the chlorine level was not within the acceptable range of water quality standards; the main drain grates were not visible due to cloudy water; the log book was not properly bound or numbered on the first inspection; the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book on the second inspection; and the bound and numbered log book was not maintained on a daily basis on the second and third inspections.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of two thousand, forty dollars (\$2,040.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, forty dollars (**\$2,040.00**) by October 16, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

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| 36) <u>Order Type and Number:</u> | Consent Order 22-160-RW |
| <u>Order Date:</u> | October 12, 2022 |
| <u>Individual/Entity:</u> | Ashton Woods Apartments, LLC |
| <u>Facility:</u> | Ashton Woods Apartments |
| <u>Location:</u> | 9525 Hwy 78 Ladson, SC 29456 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Charleston |
| <u>Previous Orders:</u> | None |
| <u>Permit/ID Number:</u> | 10-1148B |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-51(J) |

Summary: Ashton Woods Apartments, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on May 31, 2022, and August 9, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the depth marker tiles on the pool deck were broken; skimmers were missing weirs; the bathrooms did not have toilet paper; the foot rinse shower was not operating properly; the chlorine level was not within the acceptable range of water quality standards; the pool rules sign was not completely filled out; the current pool operator of record information was not posted to the public; the bound and numbered log book was not maintained on a daily basis; and the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 24, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

37) Order Type and Number: Consent Order 22-161-RW
Order Date: October 14, 2022
Individual/Entity: **Silver Creek Valley, LLC**
Facility: Savannah Oaks Apartments
Location: 1402 Groves Boulevard
North Augusta, SC 29841
Mailing Address: Same
County: Aiken
Previous Orders: None
Permit/ID Number: 02-042-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Silver Creek Valley, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Aiken County, South Carolina. The Department conducted inspections on July 19, 2022, and August 16, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the lifeline floats were not properly spaced; a ladder was missing bumpers; the waterline tiles were dirty; the chlorine and pH levels were not within the acceptable range of water quality standards; the pool rules sign was not completely filled out; only one “Shallow Water – No Diving Allowed” sign was posted; only one “No Lifeguard On Duty - Swim At Your Own Risk” sign was posted and the sign posted did not have the correct wording; the current pool operator of record information was not posted to the public; and the bound and numbered log book was not maintained on a daily basis.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 31, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

38) Order Type and Number: Consent Order 22-162-RW
Order Date: October 14, 2022
Individual/Entity: **Cainhoy Pointe Apartments, LLC**
Facility: Palmetto Place Condominiums
Location: 1030 Jack Primus Road
Charleston, SC 29492
Mailing Address: Same
County: Berkeley
Previous Orders: None
Permit/ID Number: 08-1050B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Cainhoy Pointe Apartments, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Berkeley County, South Carolina. The Department conducted inspections on June 23, 2022, and August 2, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was missing bumpers; the pool equipment room was not accessible; a gate did not self-close and latch; the chlorine and pH levels were not within the acceptable range of

water quality standards; and the bound and numbered log book was not available for review.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 27, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

39) Order Type and Number: Consent Order 22-163-RW
Order Date: October 17, 2022
Individual/Entity: **Ballards Pointe I Association**
Facility: Ballards Pointe I
Location: 287 Ballard Lane
Santee, SC 29142
Mailing Address: P.O. Box 23081
Columbia, SC 29224
County: Orangeburg
Previous Orders: None
Permit/ID Number: 38-1006B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Ballards Pointe I Association (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Orangeburg County, South Carolina. The Department conducted inspections on June 27, 2022, and July 27, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was not tight and secure; there was algae on the pool wall and floor; the plaster on the pool floor was deteriorated; tiles on the pool wall were missing; the water level was too low; a skimmer was missing a weir; the chlorine level was not within the acceptable range of water quality standards; the emergency notification device was not operational; the pool rules sign was not completely filled out; the “Shallow Water – No Diving Allowed” signs did not have the correct wording; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; the current pool operator of record information was not posted to the public; and the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 24, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

40) Order Type and Number: Consent Order 22-164-RW
Order Date: October 17, 2022
Individual/Entity: **Ermine Road MHC, LLC**
Facility: Lexington Village
Location: 600 Ermine Road
West Columbia, SC 29170

Mailing Address: P.O. Box 10851
Raleigh, NC 27605
County: Lexington
Previous Orders: None
Permit/ID Number: 32-053-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Ermine Road MHC, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Lexington County, South Carolina. The Department conducted inspections on June 30, 2022, and July 22, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the lifeline floats were not properly spaced; a depth marker tile was cracked; the pool floor and wall were dirty; the grout was missing between the waterline tiles; the pool deck was uneven with sharp edges; a skimmer was missing a weir; there was debris in the skimmer baskets; a skimmer basket was floating; the water level was too high; the bathrooms did not have soap; the fill spout was not stainless steel or equivalent and was not co-located with a ladder or diving board; the chlorine level was not within the acceptable range of water quality standards; the main drain grates were not visible due to cloudy water; the life ring did not have a permanently attached rope and was not properly hung in its designated location; the bound and numbered log book was not maintained on a daily basis; and the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by October 30, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

41) Order Type and Number: Consent Order 22-165-RW
Order Date: October 17, 2022
Individual/Entity: **Hammett Crossing Homeowners Association**
Facility: Hammett Crossing
Location: 8A Ager Court
Greer, SC 29650
Mailing Address: 10 Patewood Drive, Suite 270
Greenville, SC 29615
County: Greenville
Previous Orders: None
Permit/ID Number: 23-491-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Hammett Crossing Homeowners Association (Individual/Entity) owns and is responsible for the proper operation and maintenance of a kiddie pool located in Greenville County, South Carolina. The Department conducted inspections on July 15, 2022, and August 12, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a skimmer was missing a weir; the bathrooms did not have soap; the drinking

water fountain was not operating properly; the flow meter was not operating properly; and the chlorine level was not within the acceptable range of water quality standards.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 1, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

42) Order Type and Number: Consent Order 22-166-RW
Order Date: October 18, 2022
Individual/Entity: **Prince Homeowners Association, Inc.**
Facility: Prince Resort at Cherry Grove Pier
Location: 3601 N Ocean Boulevard
North Myrtle Beach, SC 29582
Mailing Address: 7400 North Kings Hwy
Myrtle Beach, SC 29572
County: Horry
Previous Orders: None
Permit/ID Number: 26-1447B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)(10)

Summary: Prince Homeowners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Horry County, South Carolina. The Department issued a Notice of Alleged Violation on October 11, 2022, as a result of a review of Department records. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to report to the Department in writing, on a Department approved form, any death, injury, or accident requiring an EMS response, emergency room visit, or hospitalization within seventy-two hours of the occurrence.

Action: The Individual/Entity is required to submit an incident report to the Department by October 28, 2022. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**) by November 7, 2022.

Update: The Individual/Entity submitted the required incident report to the Department. The civil penalty has been paid and the Consent Order is closed.

43) Order Type and Number: Consent Order 22-169-RW
Order Date: October 20, 2022
Individual/Entity: **BF Landings West Ashley, LLC**
Facility: Ashford Riverview
Location: 1476 Orange Grove Road
Charleston, SC 29407
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit/ID Number: 10-066-1

Violations Cited:

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

Summary: BF Landings West Ashley, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on June 3, 2022, and July 28, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a lifeline with floats was not attached to the pool wall; a transition line was not present; the chlorine level was not within the acceptable range of water quality standards; the main drain grates were not visible due to cloudy water; there was only one “No Lifeguard On Duty – Swim At Your Own Risk” sign posted; the recirculation and filtration system was leaking; depth marker tiles were broken; a gate did not self-close and latch; and the facility address was not posted at the emergency notification device.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 9, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

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| 44) <u>Order Type and Number:</u> | Consent Order 22-170-RW |
| <u>Order Date:</u> | October 21, 2022 |
| <u>Individual/Entity:</u> | KNP Hospitality, Inc. |
| <u>Facility:</u> | Rodeway Inn |
| <u>Location:</u> | 2311 Ashley Phosphate Road Charleston, SC 29418 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Charleston |
| <u>Previous Orders:</u> | 21-097-RW (\$680.00) |
| <u>Permit/ID Number:</u> | 10-265-1 |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-51(J) |

Summary: KNP Hospitality, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on July 6, 2022, and August 15, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the drinking water fountain and foot rinse shower were not operating properly; the fill spout was not stainless steel or equivalent; the pH level was not within the acceptable range of water quality standards; the life ring was deteriorated; the pool rules sign was not completely filled out; the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book; and the lifeline floats were not properly spaced.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of one thousand, six hundred dollars (\$1,600.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, six hundred dollars (**\$1,600.00**) by November 6, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

45) Order Type and Number: Consent Order 22-171-RW
Order Date: October 21, 2022
Individual/Entity: **Carriage Hill Horizontal Property Regime**
Facility: Carriage Hill Apartments
Location: 5225 Clemson Avenue
Columbia, SC 29206
Mailing Address: 1905 Sunset Boulevard, Suite E
West Columbia, SC 29169
County: Richland
Previous Orders: None
Permit/ID Number: 40-009-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Carriage Hill Horizontal Property Regime (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department conducted inspections on June 21, 2022, and July 26, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a depth marker tile was cracked; the bolt cover on the handrail was broken with a sharp edge; a ladder was bent; there was a water hose was on the pool deck and the hose did not have a backflow prevention device, the deck as uneven with sharp edges; there was grout missing between the deck and coping; a skimmer was missing a weir; a gate did not self-close and latch, the entry gate was propped open; a section of the perimeter had openings greater than four inches; the chlorine level was not within the acceptable range of water quality standards; both of the “Shallow Water – No Diving Allowed” signs posted were obstructed; and both main drain grates only had one screw.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 4, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

46) Order Type and Number: Consent Order 22-172-RW
Order Date: October 21, 2022
Individual/Entity: **Forest Acres Gym, LLC**
Facility: MUV Fitness Forest Acres
Location: 4114 Forest Drive
Columbia, SC 29201
Mailing Address: 800 Columbiana Drive, Suite 201
Irmo, SC 29063
County: Richland
Previous Orders: None
Permit/ID Number: 40-1113D
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Forest Acres Gym, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a spa located in Richland County, South Carolina. The Department conducted inspections on June 21, 2022, and July 26, 2022, and violations were issued for failure to properly operate and maintain. The

Individual/Entity has violated the Public Swimming Pools Regulation as follows: the spa floor was dirty; there was mold on the deck; the water level was too low; there was debris in the skimmer baskets; skimmers were missing weirs; the bathrooms were dirty; the sauna had mold on the walls and floor; the chlorine level was not within the acceptable range of water quality standards; the main drain grates did not have screws; the facility address was not posted at the emergency notification device; and the “No Lifeguard On Duty – Swim At Your Own Risk” signs posted were obstructed.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 7, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

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| 47) <u>Order Type and Number:</u> | Consent Order 22-167-RW |
| <u>Order Date:</u> | October 24, 2022 |
| <u>Individual/Entity:</u> | Belfair Homeowners’ Association, Inc. |
| <u>Facility:</u> | Belfair |
| <u>Location:</u> | 100 Belfair Way Irmo, SC 29063 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Richland |
| <u>Previous Orders:</u> | None |
| <u>Permit/ID Number:</u> | 40-408-1 |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-51(J) |

Summary: Belfair Homeowners’ Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department conducted inspections on June 9, 2022, July 25, 2022, and August 8, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was missing bumpers; there was standing water on the deck; skimmers were missing weirs; the pool equipment room was not accessible; the emergency notification device was not operating properly; the pool rules sign was not completely filled out and did not have all of the required rules; the current pool operator of record information was not posted to the public; the chlorine and pH levels were not within the acceptable range of water quality standards; the bound and numbered log book was not maintained on a daily basis; the bound and numbered log book was not maintained a minimum of three times per week by the pool operator of record; the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book; there were chlorine sticks in the skimmer baskets; there was algae on the pool floor and walls; the pool furniture was not at least four feet from the pool edge; the water level was too high; and skimmer baskets were floating.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of two thousand, forty dollars (\$2,040.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, forty dollars (**\$2,040.00**) by November 2, 2022.

Update: The civil penalty has been paid and the Consent order is closed.

48) Order Type and Number: Consent Order 22-168-RW
Order Date: October 24, 2022
Individual/Entity: **AVR MSP Columbia, LLC**
Facility: Atlantic at Park Ridge Apartments
Location: 356 Lake Murray Boulevard
Irmo, SC 29063
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 40-1158B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: AVR MSP Columbia, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department conducted inspections on July 11, 2022, and August 15, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: there was standing water on the deck; the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book; a ladder was not tight and secure; the water line tiles were dirty; and the water level was too high.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 2, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

49) Order Type and Number: Consent Order 22-173-RW
Order Date: October 24, 2022
Individual/Entity: **Honey Ridge Villas Homeowners Association, Inc.**
Facility: Honey Ridge Villas
Location: 204 Oakmont Avenue
Ladson, SC 29456
Mailing Address: Same
County: Dorchester
Previous Orders: None
Permit/ID Number: 18-014-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Honey Ridge Villas Homeowners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Dorchester County, South Carolina. The Department conducted inspections on June 3, 2022, and August 16, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: depth marker tiles were broken; there was a hose on the pool deck causing a trip hazard; the bathroom did not have toilet paper during the first inspection and was not accessible during the second inspection; the chlorine level was not within the acceptable

range of water quality standards; and the life ring did not have a permanently attached rope.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 2, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

50) Order Type and Number: Consent Order 22-174-RW
Order Date: October 24, 2022
Individual/Entity: **Maniben, LLC**
Facility: Quality Inn and Suites
Location: 7251 Garners Ferry Road
Columbia, SC 29209
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 40-356-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Maniben, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department conducted inspections on July 7, 2022, and August 10, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a depth marker tile was cracked; the pool floor was dirty, the plaster on the pool floor was deteriorated; the wall tiles were dirty; the step edge tiles were deteriorated; the foot rinse shower was not operating properly; the pool equipment room was not locked; the life ring was not United States Coast Guard approved; the facility address was not posted at the emergency notification device; the pool rules sign did not have all of the required rules; the current pool operator of record information was not posted to the public; the bound and numbered log book was not maintained on a daily basis; the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book; and the bound and numbered log book was not maintained a minimum of three times per week by the pool operator of record.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 7, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

51) Order Type and Number: Consent Order 22-175-RW
Order Date: October 24, 2022
Individual/Entity: **Quail Valley Swim and Racquet Club of Irmo**
Facility: Quail Valley Swim and Racquet Club of Irmo

Location: 1361 Country Squire Road
Columbia, SC 29212
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: 32-075-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Quail Valley Swim and Racquet Club of Irmo (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Lexington County, South Carolina. The Department conducted inspections on June 30, 2022, and August 3, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the plaster on the pool floor was deteriorated; the frost proof tiles were missing on the pool wall; tiles were missing on the pool floor; the pool deck was not clear of hazards; skimmers were missing weirs; the pool equipment room was not locked; a light in the pool wall was out of its niche; the life ring was deteriorated; the emergency notification device was not approvable; and one of the “No Lifeguard On Duty – Swim At Your Own Risk” signs posted did not have the correct wording.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of sixty-eight dollars (\$68.00). The Individual/Entity shall pay a civil penalty in the amount of sixty-eight dollars (**\$68.00**) by November 5, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

52) Order Type and Number: Consent Order 22-176-RW
Order Date: October 24, 2022
Individual/Entity: **Hudson Myrtle Beach, LLC**
Facility: Inspire Coastal Grand
Location: 1749 Sea Pine Boulevard
Myrtle Beach, SC 29577
Mailing Address: 102 Autumn Hall Drive, Suite 210
Wilmington NC 28403
County: Horry
Previous Orders: None
Permit/ID Number: 26-2069B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Hudson Myrtle Beach, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Horry County, South Carolina. The Department conducted inspections on June 30, 2022, and September 6, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the gate was open; the pH level was not within the acceptable range of water quality standards; the bound and numbered log book was not maintained on a daily basis on the first inspection; and the bound and numbered log book was not available for review on the second inspection.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The

Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars **(\$680.00)** by November 3, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

53) Order Type and Number: Consent Order 22-177-RW
Order Date: October 25, 2022
Individual/Entity: **Coopers Ridge Apartments, LLC**
Facility: Coopers Ridge Apartments
Location: 111 Coopers Ridge Boulevard
Ladson, SC 29456
Mailing Address: Same
County: Dorchester
Previous Orders: 20-108-RW (\$680.00)
Permit/ID Number: 08-1037B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Coopers Ridge Apartments, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Dorchester County, South Carolina. The Department conducted inspections on June 1, 2022, and August 16, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was missing bumpers; skimmer baskets were floating; the bathrooms did not have toilet paper; the chlorine level was not within the acceptable range of water quality standards; the life ring did not have a permanently attached rope; the current pool operator of record information was not posted to the public; the bound and numbered log book was not maintained on a daily basis; the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book; and the emergency notification device was not operational.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of one thousand, six hundred dollars (\$1,600.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, six hundred dollars **(\$1,600.00)** by November 6, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

54) Order Type and Number: Consent Order 22-178-RW
Order Date: October 27, 2022
Individual/Entity: **SC 5000F 42M, LLC**
Facility: 42 Magnolia Apartments
Location: 5150 Forest Drive
Columbia, SC 29206
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 40-335-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: SC 5000F 42M, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South

Carolina. The Department conducted inspections on June 15, 2022, and July 21, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pool floor was dirty; the fill spout was not stainless steel or equivalent; the chlorine and pH levels were not within the acceptable range of water quality standards; gates did not self-close and latch; and the bound and numbered log book was not available for review.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 13, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

55) Order Type and Number: Consent Order 22-180-RW
Order Date: October 27, 2022
Individual/Entity: **Andaman Limited, Inc.**
Facility: Rodeway Inn
Location: 1725 Kings Highway North
Surfside Beach, SC 29575
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-1862B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Andaman Limited, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Horry County, South Carolina. The Department conducted inspections on June 13, 2022, and July 11, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the drinking water fountain was not operating properly; the chlorine level was not within the acceptable range of water quality standards; and the bound and numbered log book was not maintained on a daily basis.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 8, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

56) Order Type and Number: Consent Order 22-181-RW
Order Date: October 27, 2022
Individual/Entity: **New Murrells, LLC**
Facility: Country Inn & Suites
Location: 1303A Tadlock Drive
Murrells Inlet, SC 29576
Mailing Address: Same
County: Horry
Previous Orders: None

Permit/ID Number: 26-M93-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: New Murrells, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Horry County, South Carolina. The Department conducted inspections on June 9, 2022, and August 11, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pH level was not within the acceptable range of water quality standards; the pool furniture was not at least four feet from the edge of the pool; a light in the pool wall was out of its niche; a gate did not self-close and latch; and the log book was not properly bound and numbered.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 13, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

57) Order Type and Number: Consent Order 22-182-RW
Order Date: October 27, 2022
Individual/Entity: **Neely Farm Homeowners Association, Inc.**
Facility: Neely Farm
Location: 1200 Neely Farm Road
Simpsonville, SC 29681
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit/ID Number: 23-403-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Neely Farm Homeowners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Greenville County, South Carolina. The Department conducted inspections on July 12, 2022, and August 9, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a handrail was not tight and secure; skimmers were missing weirs; a light in the pool wall was out of its niche; the emergency notification device was not operational; there was no pool rules sign; the current pool operator of record information was not posted to the public; and a gate did not self-close and latch.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 9, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

58) Order Type and Number: Consent Order 22-179-RW
Order Date: October 28, 2022

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|---------------------------|---|
| <u>Individual/Entity:</u> | West Shore Mill, LLC |
| <u>Facility:</u> | The Reserve at Mill Landing |
| <u>Location:</u> | 809 East Main Street Lexington, SC 29072 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Lexington |
| <u>Previous Orders:</u> | None |
| <u>Permit/ID Number:</u> | 32-192-1 |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-51(J) |

Summary: West Shore Mill, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Lexington County, South Carolina. The Department conducted inspections on June 20, 2022, and July 19, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was missing bumpers; a tree had fallen across the fence; a gate did not self-close and latch; skimmers were missing weirs; there was no drinking water fountain; there was no foot rinse shower; the chlorine and pH levels were not within the acceptable range of water quality standards; the emergency notification device was not accessible; there was only one “Shallow Water – No Diving Allowed” sign posted; the plaster on the pool floor was deteriorated; the water level was too high; and the bound and numbered log book was not available for review.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 14, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

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| 59) | <u>Order Type and Number:</u> | Consent Order 22-183-RW |
| | <u>Order Date:</u> | October 31, 2022 |
| | <u>Individual/Entity:</u> | West Shore Lake Carolina, LLC |
| | <u>Facility:</u> | Town Center at Lake Carolina |
| | <u>Location:</u> | 20 Helton Drive Columbia, SC 29229 |
| | <u>Mailing Address:</u> | Same |
| | <u>County:</u> | Richland |
| | <u>Previous Orders:</u> | None |
| | <u>Permit/ID Number:</u> | 40-1140B |
| | <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-51(J) |

Summary: West Shore Lake Carolina, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department conducted inspections on June 1, 2022, and August 2, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: there was algae on the pool walls and floor; there was debris in the skimmer baskets; skimmers were missing weirs; skimmer baskets were broken; the bathrooms were dirty; the drinking water fountain was not operating properly; the foot rinse shower was not operating properly; the chlorine level was not within the acceptable range of water quality standards; a main drain grate was broken; the emergency notification device was

not operational; the pool rules sign was not completely filled out and did not have all of the required rules; one of the “Shallow Water – No Diving Allowed” signs posted did not have the correct wording and the letters were not the correct size; the letters on one of the “No Lifeguard On Duty – Swim At Your Own Risk” signs posted were not the correct size; the facility could not produce current valid documentation of pool operator certification; the bound and numbered log book was not available for review on the first inspection; the bound and numbered log book was not maintained on a daily basis and the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book on the second inspection; the disinfection equipment was not operating properly; a handrail was not tight and secure; and the life ring did not have a permanently attached rope.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 14, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

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| 60) | <u>Order Type and Number:</u> | Consent Order 22-184-RW |
| | <u>Order Date:</u> | October 31, 2022 |
| | <u>Individual/Entity:</u> | Milen Enterprises, Inc. |
| | <u>Facility:</u> | Holiday Inn Express |
| | <u>Location:</u> | 2435 Elms Center Road North Charleston, SC 29406 |
| | <u>Mailing Address:</u> | Same |
| | <u>County:</u> | Charleston |
| | <u>Previous Orders:</u> | None |
| | <u>Permit/ID Number:</u> | 10-1135B |
| | <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-51(J) |

Summary: Milen Enterprises, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on June 6, 2022, and August 5, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the cyanuric acid level was not recorded on a weekly basis in the bound and numbered log book; and the bound and numbered log book was not maintained on a daily basis.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 21, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

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| 61) | <u>Order Type and Number:</u> | Consent Order 22-185-RW |
| | <u>Order Date:</u> | October 31, 2022 |

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| <u>Individual/Entity:</u> | The Catalina Homeowners' Association, Inc. |
| <u>Facility:</u> | Catalina Manor |
| <u>Location:</u> | 206 1 st Ave N N Myrtle Beach, SC 29582 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Horry |
| <u>Previous Orders:</u> | None |
| <u>Permit/ID Number:</u> | 26-1588B |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-51(J) |

Summary: The Catalina Homeowners' Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Horry County, South Carolina. The Department conducted inspections on July 6, 2022, and August 22, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was missing bumpers; the plaster on the pool floor was deteriorated; a skimmer basket was floating; the gate did not self-close and latch; the bound and numbered log book was not available for review; the pool floor was dirty; a skimmer was missing a weir; and the chlorine level was not within the acceptable range of water quality standards.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 17, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

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| 62) <u>Order Type and Number:</u> | Consent Order 22-186-RW |
| <u>Order Date:</u> | October 31, 2022 |
| <u>Individual/Entity:</u> | RLJ C Charleston HD Lessee, LLC |
| <u>Facility:</u> | Courtyard Marriott Charleston |
| <u>Location:</u> | 125 Calhoun Street Charleston, SC 29440 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Charleston |
| <u>Previous Orders:</u> | None |
| <u>Permit/ID Number:</u> | 10-577-1 |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-51(J) |

Summary: RLJ C Charleston HD Lessee, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on July 7, 2022, and August 10, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; there were no "No Lifeguard On Duty – Swim At Your Own Risk" signs posted; and the cyanuric acid level was not recorded weekly in the bound and numbered log book.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by November 7, 2022.

Update: The civil penalty has been paid and the Consent Order is closed.

Water Pollution Enforcement

63) Order Type and Number: Consent Order 22-061-W
Order Date: October 26, 2022
Individual/Entity: **J L Anderson**
Facility: J L Anderson CO. Inc.
Location: Widow Johnson Road,
Chesterfield, SC, 29550
Mailing Address: P.O. Box 430
Cheraw SC 29520
County: Chesterfield
Previous Orders: None
Permit/ID Number: SCG730388
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 SCG730388

Summary: JL Anderson (Individual/Entity) owns and is responsible for the proper operation and maintenance of its mine in Chesterfield County, South Carolina. On June 23, 2022, a Notice of Violation was issued as a result of pH 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 Permit SCG730388 for pH.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the violations by November 26, 2022; 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 November 26, 2022.

Update: The civil penalty has been paid in full. The Individual/Entity is in communication with Department staff regarding submittal of its written notification of corrective action completion date.

64) Order Type and Number: Consent Order 22-062-W
Order Date: October 26, 2022
Individual/Entity: **Berkeley County Water & Sewer Authority**
Facility: BCW&SA, Lower Berkeley WWTF
Location: 2111 Red Bank Road

Mailing Address: Goose Creek, SC 29445
212 Oakley Plantation Drive
Moncks Corner, SC 29461-5036

County: Berkeley

Previous Orders: 21-064-W (\$5,250.00)

Permit/ID Number: SC0046060

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: Berkeley County Water & Sewer Authority (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Berkeley County, South Carolina. On July 18, 2022, a Notice of Violation was issued as a result of violations of the permitted discharge limits for Ammonia-nitrogen (Ammonia) 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.

Action: The Individual/Entity is required to: submit a written notification of the completion date for all corrective actions necessary to resolve the violations by November 26, 2022; conduct a six (6) 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 (\$3,000.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand dollars (\$3,000.00) by November 26, 2022.

Update: The Individual/Entity paid the civil penalty and has submitted its notification of the completion date for all necessary corrective actions.

65) Order Type and Number: Consent Order 22-063-W

Order Date: October 26, 2022

Individual/Entity: **Blackstream Development, LLC**

Facility: Lake Stone Development Project

Location: Highway 101 and McElrath Road
Woodruff, SC 29388

Mailing Address: 5 Century Drive, Suite 210
Greenville, SC 29607

County: Spartanburg

Previous Orders: None

Permit/ID Number: SCR10Z7FY

Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-90(a), and Water Pollution Control Permits and S.C. Code Ann Regs. 61-9.122.41(a) and (e)

Summary: Blackstream Development, LLC (Individual/Entity) is responsible for land disturbing activity at a development project in Spartanburg County, South Carolina. The Department conducted inspections on January 27, 2022, and March 2, 2022, and observed unsatisfactory conditions at the land disturbance site. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: discharged sediment into the environment, including into waters of the State, in

a manner other than in compliance with a permit issued by the Department, and failed to install and properly operate and maintain all erosion and sediment controls as specified in the approved SWPPP as required by the Permit.

Action: The Individual/Entity is required to: prevent sediment from leaving the Site, repair or replace faulty BMPs; clear waste and debris, perform and record weekly inspections; properly stabilize the Site by November 26, 2022; and submit a Notice of Termination (NOT) within thirty days of achieving permanent stabilization of the Site. The Department has assessed a total civil 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 November 26, 2022.

Update: The Individual/Entity has paid the civil penalty and has submitted documentation reporting that deficiencies have been corrected at the Site.

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

Food Safety Enforcement

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| 66) <u>Order Type and Number:</u> | Administrative Order 22-116-FOOD |
| <u>Order Date:</u> | October 5, 2022 |
| <u>Individual/Entity:</u> | Jason Criscillis |
| <u>Facility:</u> | 313 Cafe |
| <u>Location:</u> | 807 Bypass 123, Suite C Seneca, SC 29678 |
| <u>Mailing Address:</u> | P. O. Box 311 Six Mile, SC 29682 |
| <u>County:</u> | Oconee |
| <u>Previous Orders:</u> | None |
| <u>Permit Number:</u> | 37-206-01287 |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-25 |

Summary: 313 Cafe (Individual/Entity) operates a retail food establishment in Oconee County, South Carolina. The Department conducted inspections on April 7, 2022, June 29, 2022, July 7, 2022, and July 14, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that materials for indoor floor, wall, and ceiling surfaces under conditions of normal use shall be smooth, durable, and easily cleanable for areas where retail food establishment operations are conducted; and failed to ensure that wall and ceiling covering materials are attached so that they are easily cleanable.

Action: The Individual/Entity is required to: operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

Update: On November 21, 2022, the Department mailed via First Class and Certified Mail a Notice of Intent to Suspend Permit.

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| 67) <u>Order Type and Number:</u> | Consent Order 22-164-FOOD |
| <u>Order Date:</u> | October 5, 2022 |
| <u>Individual/Entity:</u> | Zorba's of St. Andrews |
| <u>Facility:</u> | Zorba's of St. Andrews |
| <u>Location:</u> | 6169 St. Andrews Road Columbia, SC 29210 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Lexington |
| <u>Previous Orders:</u> | 2018-206-03-111 (\$800.00); 2018-206-03-134 (\$800.00); 2020-206-03-009 (\$1,500.00); and 21-26-FOOD (\$1,000.00) |
| <u>Permit Number:</u> | 32-206-00882 |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-25 |

Summary: Zorba's of St. Andrews (Individual/Entity) operates a restaurant located in Lexington County, South Carolina. The Department conducted inspections on October 6, 2021, July 25, 2022, August 4, 2022, August 12, 2022, and August 23, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure employees wash hands after engaging in activities that contaminate their hands; failed to obtain food from sources that comply with law; failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling; failed to ensure that refrigerated, ready-to-eat, time/temperature control for safety foods were discarded if the temperature and time combination exceeded seven (7) days or if the package was not properly date marked; failed to ensure that physical facilities were maintained in good repair; and failed to clean the physical facilities as often as necessary to keep them clean.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. 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**).

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

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| 68) <u>Order Type and Number:</u> | Consent Order 22-165-FOOD |
| <u>Order Date:</u> | October 6, 2022 |
| <u>Individual/Entity:</u> | Araceli Ochoa Bello and Andrea Ochoa Bello |
| <u>Facility:</u> | Araceli Ochoa Bello and Andrea Ochoa Bello |
| <u>Location:</u> | 115 Batson Drive, Lot 202 Greenville, SC 29617 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Greenville |
| <u>Previous Orders:</u> | None |
| <u>Permit Number:</u> | None |

Violations Cited:

S.C. Code Ann. Regs. 61-25

Summary: Araceli Ochoa Bello and Andrea Ochoa Bello (Individual/Entity) operate a mobile retail food establishment in Greenville County, South Carolina. The Department conducted investigations on July 24, 2022, and August 3, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: provided food to the public without a valid permit issued by the Department.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of two thousand dollars (\$2,000.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**) in installments with the final payment being by January 7, 2023.

Update: The Individual/Entity is current on the agreed upon payment plan.

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| 69) | <u>Order Type and Number:</u> | Consent Order 22-174-FOOD |
| | <u>Order Date:</u> | October 6, 2022 |
| | <u>Individual/Entity:</u> | Quagliata Brothers Italian Deli |
| | <u>Facility:</u> | Quagliata Brothers Italian Deli |
| | <u>Location:</u> | 4999 Carolina Forest Boulevard, #5 Myrtle Beach, SC 29579 |
| | <u>Mailing Address:</u> | Same |
| | <u>County:</u> | Horry |
| | <u>Previous Orders:</u> | None |
| | <u>Permit Number:</u> | 26-206-14310 |
| | <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-25 |

Summary: Quagliata Brothers Italian Deli (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on June 14, 2021, March 4, 2022, and July 26, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

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

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| 70) | <u>Order Type and Number:</u> | Consent Order 22-175-FOOD |
| | <u>Order Date:</u> | October 6, 2022 |
| | <u>Individual/Entity:</u> | Soho Steak & Seafood |
| | <u>Facility:</u> | Soho Steak & Seafood |
| | <u>Location:</u> | 407 21 st Avenue North |

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|--------------------------|----------------------------|
| | Myrtle Beach, SC 29577 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Horry |
| <u>Previous Orders:</u> | None |
| <u>Permit Number:</u> | 26-206-13723 |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-25 |

Summary: Soho Steak & Seafood (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on October 5, 2021, August 12, 2022, and August 22, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

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

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| 71) | <u>Order Type and Number:</u> | Consent Order 22-177-FOOD |
| | <u>Order Date:</u> | October 6, 2022 |
| | <u>Individual/Entity:</u> | Piggly Wiggly #158 |
| | <u>Facility:</u> | Piggly Wiggly #158 |
| | <u>Location:</u> | 208 East McIntyre Street Mullins, SC 29574 |
| | <u>Mailing Address:</u> | 724 Attwood Circle Mt. Pleasant, SC 29464 |
| | <u>County:</u> | Marion |
| | <u>Previous Orders:</u> | None |
| | <u>Permit Number:</u> | 33-206-01263 |
| | <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-25 |

Summary: Piggly Wiggly #158 (Individual/Entity) operates a restaurant located in Florence County, South Carolina. The Department conducted inspections on October 5, 2021, October 14, 2021, and March 31, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

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

72) Order Type and Number: Consent Order 22-180-FOOD
Order Date: October 6, 2022
Individual/Entity: **Wendy's #8119**
Facility: Wendy's #8119
Location: 2462 Highway 501
Conway, SC 29526
Mailing Address: 3105 Glenwood Avenue, Suite 103
Raleigh, NC 27612
County: Horry
Previous Orders: None
Permit Number: 26-206-06793
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Wendy's #8119 (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on November 18, 2021, April 13, 2022, and August 9, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure written procedures were in place and made available to the Department when the facility uses time as a public health control.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

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

73) Order Type and Number: Consent Order 22-181-FOOD
Order Date: October 6, 2022
Individual/Entity: **Michael's Pizza, Pasta & Grill**
Facility: Michael's Pizza, Pasta & Grill
Location: 1701 North Kings Highway
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: 2018-206-06-033 (\$2,000.00)
Permit Number: 26-206-07160
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Michael's Pizza, Pasta & Grill (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on December 2, 2021, December 9, 2021, August 15, 2022, and August 25, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling; and failed to ensure that refrigerated,

ready-to-eat, time/temperature control for safety foods were discarded if the temperature and time combination exceeded seven (7) days or if the package was not properly date marked.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of two thousand two hundred fifty dollars (\$2,250.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand two hundred fifty dollars (**\$2,250.00**).

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

74) Order Type and Number: Consent Order 22-182-FOOD
Order Date: October 11, 2022
Individual/Entity: **Little Caesar's Pizza #8**
Facility: Little Caesar's Pizza #8
Location: 610 Highway 1 South
Lugoff, SC 29078
Mailing Address: P. O. Box 290743
Columbia, SC 29229
County: Kershaw
Previous Orders: None
Permit Number: 28-206-00570
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Little Caesar's Pizza #8 (Individual/Entity) operates a restaurant located in Kershaw County, South Carolina. The Department conducted inspections on August 8, 2022, August 18, 2022, and August 25, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

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

75) Order Type and Number: Consent Order 22-185-FOOD
Order Date: October 11, 2022
Individual/Entity: **Cook Out**
Facility: Cook Out
Location: 205 Highway 17 North
North Myrtle Beach, SC 29582
Mailing Address: 15 Laura Lane, Suite 300
Thomasville, NC 27260
County: Horry
Previous Orders: None

Permit Number: 26-206-13549
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Cook Out (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on December 14, 2021, May 20, 2022, May 27, 2022, and August 26, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure floors, floor coverings, walls, wall coverings, and ceilings were designed, constructed, and installed so they are smooth and easily cleanable.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

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

76) Order Type and Number: Consent Order 22-173-FOOD
Order Date: October 12, 2022
Individual/Entity: **KJ's Market #36**
Facility: KJ's Market #36
Location: 543 St. Andrews Road
Columbia, SC 29210
Mailing Address: P. O. Box 1629
Lake City, SC 29560
County: Lexington
Previous Orders: 2020-206-03-009 (\$1,500.00); and
21-26-FOOD (\$1,000.00)
Permit Number: 32-211-06210
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: KJ's Market #36 (Individual/Entity) operates a retail market located in Lexington County, South Carolina. The Department conducted an inspection on August 29, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of five hundred dollars (\$500.00). The Individual/Entity shall pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

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

77) Order Type and Number: Consent Order 22-178-FOOD
Order Date: October 13, 2022
Individual/Entity: **IGA Deli/Bakery #51**

Facility: IGA Deli/Bakery #51
Location: 325 West Wesmark Boulevard
Sumter, SC 29150
Mailing Address: P. O. Box 1629
Lake City, SC 29560
County: Sumter
Previous Orders: None
Permit Number: 43-206-00991
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: IGA Deli/Bakery #51 (Individual/Entity) operates a restaurant located in Sumter County, South Carolina. The Department conducted inspections on August 9, 2022, August 18, 2022, and August 25, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety food was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling; and failed to ensure that an air gap between the water supply inlet and the flood level rim of the plumbing fixture, equipment, or nonfood equipment was at least twice the diameter of the water supply inlet and not be less than one (1) inch.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**) by November 13, 2022.

Update: If payment is not received by December 1, 2022, the Department will issue a payment Demand Letter.

78) Order Type and Number: Consent Order 22-197-FOOD
Order Date: October 13, 2022
Individual/Entity: **Menkoi Ramen House**
Facility: Menkoi Ramen House
Location: 493-1 Town Center Place
Columbia, SC 29229
Mailing Address: 801 East Springs Road
Columbia, SC 29223
County: Richland
Previous Orders: None
Permit Number: 40-206-09050
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Menkoi Ramen House (Individual/Entity) operates a restaurant located in Richland County, South Carolina. The Department conducted inspections on August 25, 2022, August 31, 2022, and September 7, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety food was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-

25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

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

79) Order Type and Number: Consent Order 22-200-FOOD
Order Date: October 14, 2022
Individual/Entity: **Cook Out – Anderson, Inc.**
Facility: Cook Out – Anderson, Inc.
Location: 3432 Clemson Boulevard
Anderson, SC 29625
Mailing Address: 15 Laura Lane, Suite 300
Thomasville, NC 27360
County: Anderson
Previous Orders: None
Permit Number: 04-206-03897
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Cook Out – Anderson, Inc. (Individual/Entity) operates a restaurant located in Anderson County, South Carolina. The Department conducted inspections on June 7, 2022, August 18, 2022, August 26, 2022, and September 1, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that at least one employee that has supervisory and management responsibility, the authority to direct and control food preparation and service, the ability to enforce employee health policies, and a frequent presence at the facility shall be a certified food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

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

80) Order Type and Number: Consent Order 22-99-FOOD
Order Date: October 17, 2022
Individual/Entity: **Domino's**
Facility: Domino's
Location: 509 Highway 17 North
North Myrtle Beach, SC 29582
Mailing Address: Same
County: Horry
Previous Orders: 2018-206-06-149 (\$1,600.00)
Permit Number: 26-206-13368
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Domino's (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on November 2, 2021, June 15, 2022, June 23, 2022, June 30, 2022, and July 8, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to comply with the Hazard Analysis and Critical Control Point (HACCP) plan and procedures that are submitted and approved as a basis for a modification or waiver; and failed to maintain and provide to the Department, upon request, records that demonstrate the HACCP plan is being employed.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of three thousand dollars (\$3,000.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**).

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

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| 81) <u>Order Type and Number:</u> | Consent Order 22-100-FOOD |
| <u>Order Date:</u> | October 17, 2022 |
| <u>Individual/Entity:</u> | Pearls |
| <u>Facility:</u> | Pearls |
| <u>Location:</u> | 3106 Highway 17 South Atlantic Beach, SC 29582 |
| <u>Mailing Address:</u> | P. O. Box 1091 North Myrtle Beach, SC 29586 |
| <u>County:</u> | Horry |
| <u>Previous Orders:</u> | None |
| <u>Permit Number:</u> | 26-206-13339 |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-25 |

Summary: Pearls (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on October 13, 2021, June 14, 2022, and June 23, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure a sink with at least three (3) compartments was provided for manually washing, rinsing, and sanitizing equipment and utensils.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

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

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| 82) <u>Order Type and Number:</u> | Consent Order 22-169-FOOD |
| <u>Order Date:</u> | October 17, 2022 |
| <u>Individual/Entity:</u> | Fat Daddy's BBQ, LLC |
| <u>Facility:</u> | Fat Daddy's BBQ, LLC |

Location: 115 H. Hampton Avenue
Greenwood, SC 29646
Mailing Address: Same
County: Greenwood
Previous Orders: None
Permit Number: 24-206-03117
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Fat Daddy's BBQ, LLC (Individual/Entity) operates a restaurant located in Greenwood County, South Carolina. The Department conducted inspections on February 9, 2022, May 11, 2022, and August 11, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

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

83) Order Type and Number: Consent Order 22-171-FOOD
Order Date: October 17, 2022
Individual/Entity: **Applebee's #85029**
Facility: Applebee's #85029
Location: 3441 Clemson Boulevard
Anderson, SC 29621
Mailing Address: 450 North Brand Boulevard
Glendale, CA 91203
County: Anderson
Previous Orders: None
Permit Number: 04-206-04521
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Applebee's #85029 (Individual/Entity) operates a restaurant located in Anderson County, South Carolina. The Department conducted inspections on July 12, 2022, July 21, 2022, and July 27, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

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

84) Order Type and Number: Consent Order 22-191-FOOD
Order Date: October 17, 2022
Individual/Entity: **Food Lion #2209 Market**
Facility: Food Lion #2209 Market
Location: 1085 Old Clemson Highway
Seneca, SC 29672
Mailing Address: P. O. Box 1330
Salisbury, NC 28145
County: Oconee
Previous Orders: None
Permit Number: 37-211-00891
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Food Lion #2209 Market (Individual/Entity) operates a retail market located in Oconee County, South Carolina. The Department conducted inspections on August 16, 2022, August 25, 2022, and September 1, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to provide water at a temperature of at least 100 degrees F through a mixing valve or combination faucet at the handwashing sink(s) and failed to ensure that the temperature of the wash solution in manual warewashing equipment was maintained at not less than 110 degrees F (43 degrees C), or the temperature as specified on the cleaning agent manufacturer's label instructions.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

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

85) Order Type and Number: Consent Order 22-208-FOOD
Order Date: October 17, 2022
Individual/Entity: **Burger King #9035**
Facility: Burger King #9035
Location: 1381 Bells Highway
Walterboro, SC 29488
Mailing Address: P. O. Box 1517
Walterboro, SC 29488
County: Colleton
Previous Orders: None
Permit Number: 15-206-00320
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Burger King #9035 (Individual/Entity) operates a restaurant located in Colleton County, South Carolina. The Department conducted inspections on June 16, 2022, August 8, 2022, and September 8, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

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

86) Order Type and Number: Consent Order 22-210-FOOD
Order Date: October 17, 2022
Individual/Entity: **Margarita's Mexican Restaurant**
Facility: Margarita's Mexican Restaurant
Location: 9906 North Kings Highway
Myrtle Beach, SC 29572
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-09305
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Margarita's Mexican Restaurant (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on April 19, 2022, August 24, 2022, and September 1, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

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

87) Order Type and Number: Consent Order 22-214-FOOD
Order Date: October 17, 2022
Individual/Entity: **Four Points**
Facility: Four Points
Location: 101 Fantasy Harbour Boulevard
Myrtle Beach, SC 29579
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-14207
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Four Points (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on June 9, 2021, March 16, 2022, and September 1, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that refrigerated, ready-to-eat, time/temperature control for safety foods were discarded if the temperature and time combination exceeded seven (7) days or if the package was not properly date marked.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

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

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| 88) | <u>Order Type and Number:</u> | Consent Order 22-95-FOOD |
| | <u>Order Date:</u> | October 20, 2022 |
| | <u>Individual/Entity:</u> | Agave Mexican Grill |
| | <u>Facility:</u> | Agave Mexican Grill |
| | <u>Location:</u> | 1430 Ribaut Road Port Royal, SC 29935 |
| | <u>Mailing Address:</u> | Same |
| | <u>County:</u> | Beaufort |
| | <u>Previous Orders:</u> | 2017-206-08-010 (\$1,600.00) |
| | <u>Permit Number:</u> | 07-206-02515 |
| | <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-25 |

Summary: Agave Mexican Grill (Individual/Entity) operates a restaurant located in Beaufort County, South Carolina. The Department conducted inspections on October 8, 2021, October 18, 2021, June 14, 2022, and June 17, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling; and failed to provide equipment sufficient in number and capacity to maintain food temperatures for cooling and heating food and holding cold and hot food.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of two thousand dollars (\$2,000.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**) by November 20, 2022.

Update: If payment is not received by December 1, 2022, the Department will issue a payment Demand Letter.

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| 89) | <u>Order Type and Number:</u> | Consent Order 22-190-FOOD |
| | <u>Order Date:</u> | October 21, 2022 |
| | <u>Individual/Entity:</u> | Maria Antonia Maza-Lopez |
| | <u>Facility:</u> | Dona Tona Mexican Restaurant |

Location: 3221 Highway 701 North
Conway, SC 29526
Mailing Address: 1207 Pink Lane
Conway, SC 29527
County: Horry
Previous Orders: None
Permit Number: 26-206-13969
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Dona Tona Mexican Restaurant (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on March 3, 2022, July 26, 2022, August 5, 2022, August 11, 2022, August 18, 2022, August 26, 2022, and September 15, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that at least one employee that has supervisory and management responsibility, the authority to direct and control food preparation and service, the ability to enforce employee health policies, and a frequent presence at the facility shall be a certified food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program; failed to ensure that at all times during operation, the person in charge shall be a certified food handler or a certified food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program; and failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of three thousand four hundred dollars (\$3,400.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand four hundred dollars (**\$3,400.00**) in installments.

Update: The Individual/Entity is current on the agreed upon payment plan.

90) Order Type and Number: Consent Order 22-193-FOOD
Order Date: October 20, 2022
Individual/Entity: **T W Boon's**
Facility: T W Boon's
Location: 405 Main Street
Greenwood, SC 29646
Mailing Address: Same
County: Greenwood
Previous Orders: None
Permit Number: 24-206-01680
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: T W Boon's (Individual/Entity) operates a restaurant located in Greenwood County, South Carolina. The Department conducted inspections on July 27, 2022, July 28, 2022, August 3, 2022, and August 11, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-

25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**) in installments.

Update: The Individual/Entity is current on the agreed upon payment plan.

91) Order Type and Number: Consent Order 22-206-FOOD
Order Date: October 20, 2022
Individual/Entity: **ACM Fatz, VII, LLCV d/b/a Fatz**
Facility: ACM Fatz, VII, LLCV d/b/a Fatz
Location: 1361 West Wade Hampton Blvd, Suite A
Greer, SC 29650
Mailing Address: 1361 West Wade Hampton Blvd, Suite F, #6
Greer, SC 29650
County: Greenville
Previous Orders: None
Permit Number: 23-206-12155
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: ACM Fatz, VII, LLCV d/b/a Fatz (Individual/Entity) operates a mobile retail food establishment located in Greenville County, South Carolina. The Department conducted inspections on July 27, 2022, August 3, 2022, and September 12, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety food was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**) by November 20, 2022.

Update: The Department called the Individual/Entity on November 28, 2022, requesting the payment to be paid.

92) Order Type and Number: Consent Order 22-83-FOOD
Order Date: October 25, 2022
Individual/Entity: **Tokyo Express**
Facility: Tokyo Express
Location: 250 Highway 17 North
North Myrtle Beach, SC 29582
Mailing Address: Same
County: Horry
Previous Orders: 21-24-FOOD (\$500.00)
Permit Number: 26-206-13707
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Tokyo Express (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on October 26, 2021, March 29, 2022, and May 26, 2022. The Individual/Entity has violated the South

Carolina Retail Food Establishment Regulation as follows: failed to ensure that refrigerated, ready-to-eat, time/temperature control for safety foods were discarded if the temperature and time combination exceeded seven (7) days or if the package was not properly date marked.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. 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)** in installments.

Update: The Individual/Entity is current on the agreed upon payment plan.

93) Order Type and Number: Consent Order 22-168-FOOD
Order Date: October 25, 2022
Individual/Entity: **John's Country Cooking ©**
Facility: John's Country Cooking ©
Location: 5923 Highway 28 North
Iva, SC 29639
Mailing Address: 607 George Alewine Road
Due West, SC 29639
County: Abbeville
Previous Orders: None
Permit Number: 01-206-00937
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: John's Country Cooking © (Individual/Entity) operates a restaurant located in Abbeville County, South Carolina. The Department conducted inspections on July 14, 2022, July 21, 2022, and July 28, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars **(\$400.00)**.

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

94) Order Type and Number: Consent Order 22-194-FOOD
Order Date: October 25, 2022
Individual/Entity: **Subway**
Facility: Subway
Location: 302 Pearman Dairy Road
Anderson, SC 29625
Mailing Address: Same
County: Anderson
Previous Orders: None
Permit Number: 04-206-04035

Violations Cited:

S.C. Code Ann. Regs. 61-25

Summary: Subway (Individual/Entity) operates a restaurant located in Anderson County, South Carolina. The Department conducted inspections on August 26, 2022, September 1, 2022, and September 8, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the proper sanitization concentration in a chemical sanitizer used in a manual or mechanical operation during contact times.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

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

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| 95) <u>Order Type and Number:</u> | Consent Order 22-204-FOOD |
| <u>Order Date:</u> | October 25, 2022 |
| <u>Individual/Entity:</u> | El Mariachi |
| <u>Facility:</u> | El Mariachi |
| <u>Location:</u> | 1078 Sunset Boulevard West Columbia, SC 29169 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Lexington |
| <u>Previous Orders:</u> | None |
| <u>Permit Number:</u> | 32-211-05825 |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-25 |

Summary: El Mariachi (Individual/Entity) operates a restaurant located in Lexington County, South Carolina. The Department conducted inspections on May 3, 2022, June 29, 2022, July 8, 2022, and August 25, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to properly cool cooked time/temperature control for safety foods; failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling; and failed to use effective methods to cool cooked time/temperature control for safety foods.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of two thousand dollars (\$2,000.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**) by November 25, 2022.

Update: The Department received a check on November 15, 2022, but the check was not written out to SC DHEC. The Department called the Individual/Entity on November 15, 2022, requesting a check payable to SC DHEC.

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| 96) <u>Order Type and Number:</u> | Consent Order 22-205-FOOD |
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Order Date: October 25, 2022
Individual/Entity: **Tacos Locos & Grill**
Facility: Tacos Locos & Grill
Location: 103 N. 12th Street, Suite D
West Columbia, SC 29169
Mailing Address: Same
County: Lexington
Previous Orders: 2019-206-03-111 (\$4,800.00);
2020-206-03-005 (\$2,000.00); and
22-114-FOOD (\$500.00)
Permit Number: 32-206-06745
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Tacos Locos & Grill (Individual/Entity) operates a retail food establishment located in Lexington County, South Carolina. The Department conducted inspections on June 27, 2022, July 6, 2022, and August 25, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to properly cool cooked time/temperature control for safety foods; failed to use effective methods to cool cooked time/temperature control for safety foods; and failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of one thousand two hundred fifty dollars (\$1,250.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand two hundred fifty dollars (**\$1,250.00**) by November 27, 2022.

Update: If payment is not received by December 1, 2022, the Department will issue a payment Demand Letter.

97) Order Type and Number: Consent Order 22-207-FOOD
Order Date: October 25, 2022
Individual/Entity: **El Mercadito Chiapanelo**
Facility: El Mercadito Chiapanelo
Location: 1801 Park View Road
Conway, SC 29526
Mailing Address: Same
County: Horry
Previous Orders: 21-126-FOOD (\$500.00)
Permit Number: 26-206-14500
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: El Mercadito Chiapanelo (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on January 10, 2022, June 27, 2022, July 7, 2022, August 26, 2022, and September 2, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to properly cool cooked time/temperature control for safety foods; failed to use effective methods to cool cooked time/temperature control for safety foods; and failed to ensure that refrigerated, ready-to-eat, time/temperature control for safety foods were discarded if the temperature and time combination exceeded seven (7) days or if the package was not properly date marked.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of two thousand two hundred fifty dollars (\$2,250.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand two hundred fifty dollars (**\$2,250.00**).

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

98) Order Type and Number: Consent Order 22-211-FOOD
Order Date: October 25, 2022
Individual/Entity: **Crabby George's Seafood Buffet**
Facility: Crabby George's Seafood Buffet
Location: 7904 North Kings Highway
Myrtle Beach, SC 29572
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-12625
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Crabby George's Seafood Buffet (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on June 2, 2022, June 10, 2022, June 15, 2022, September 2, 2022, and September 12, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of two thousand four hundred dollars (\$2,400.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand four hundred dollars (**\$2,400.00**).

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

99) Order Type and Number: Consent Order 22-160-FOOD
Order Date: October 26, 2022
Individual/Entity: **ACM Fatz VII, LLC**
Facility: ACM Fatz VII, LLC
Location: 212 Wall Street
Camden, SC 29020
Mailing Address: 4324 Wade Hampton Blvd.
Taylors, SC 29687
County: Kershaw
Previous Orders: 21-13-FOOD
Permit Number: 28-206-00814
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: ACM Fatz VII, LLC (Individual/Entity) operates a restaurant located in Kershaw County, South Carolina. The Department conducted inspections on September 16, 2021, July 21, 2022, July 29, 2022, and August 15, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that equipment is maintained in a state of repair and condition that meets the regulation requirements; failed to ensure that physical facilities were maintained in good repair; and failed to clean the physical facilities as often as necessary to keep them clean.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of five hundred dollars (\$500.00). The Individual/Entity shall pay a civil penalty in the amount of five hundred dollars (**\$500.00**) by November 26, 2022.

Update: If payment is not received by December 1, 2022, the Department will issue a payment Demand Letter.

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| 100) <u>Order Type and Number:</u> | Consent Order 22-201-FOOD |
| <u>Order Date:</u> | October 26, 2022 |
| <u>Individual/Entity:</u> | San Jose Mexican Restaurant |
| <u>Facility:</u> | San Jose Mexican Restaurant |
| <u>Location:</u> | 115 North Point Drive Lexington, SC 29073 |
| <u>Mailing Address:</u> | 107 Maple Road Lexington, SC 29073 |
| <u>County:</u> | Lexington |
| <u>Previous Orders:</u> | None |
| <u>Permit Number:</u> | 32-206-07138 |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-25 |

Summary: San Jose Mexican Restaurant (Individual/Entity) operates a restaurant located in Lexington County, South Carolina. The Department conducted inspections on December 16, 2021, September 1, 2022, September 2, 2022, September 8, 2022, and September 14, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure employees wash hands after engaging in activities that contaminate their hands; failed to ensure written procedures were in place and made available to the Department when the facility uses time as a public health control; failed to ensure that refrigerated, ready-to-eat, time/temperature control for safety foods were discarded if the temperature and time combination exceeded seven (7) days or if the package was not properly date marked; failed to ensure that the plumbing system was installed to preclude backflow of a solid, liquid, or gas contaminant into the water supply system at each point of use at the retail food establishment; and obscured, covered, defaced, relocated, or removed the grade decal that was posted by the Department.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of two thousand nine hundred dollars (\$2,900.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand nine hundred dollars (**\$2,900.00**).

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

101) Order Type and Number: Consent Order 22-212-FOOD
Order Date: October 26, 2022
Individual/Entity: **The Wicked Tuna Rooftop Bar and Grill**
Facility: The Wicked Tuna Rooftop Bar and Grill
Location: 110 North Ocean Boulevard
Myrtle Beach, SC 29575
Mailing Address: 1503 Brookgreen Drive
Myrtle Beach, SC 29577
County: Horry
Previous Orders: None
Permit Number: 26-206-13970
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: The Wicked Tuna Rooftop Bar and Grill (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on March 22, 2022, August 23, 2022, and August 31, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the proper sanitization concentration in a chemical sanitizer used in a manual or mechanical operation during contact times.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

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

102) Order Type and Number: Consent Order 22-209-FOOD
Order Date: October 28, 2022
Individual/Entity: **Callibaker's Firehouse**
Facility: Callibaker's Firehouse
Location: 910 Lake Arrowhead Road
Myrtle Beach, SC 29572
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-13377
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Callibaker's Firehouse (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on March 2, 2022, August 31, 2022, and September 9, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

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

103) Order Type and Number: Consent Order 22-236-FOOD
Order Date: October 28, 2022
Individual/Entity: **Express China**
Facility: Express China
Location: 2005 Harden Street
Columbia, SC 29204
Mailing Address: Same
County: Richland
Previous Orders: None
Permit Number: 40-206-07919
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Express China (Individual/Entity) operates a restaurant located in Richland County, South Carolina. The Department conducted inspections on July 13, 2022, July 22, 2022, and September 13, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety foods was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling; and failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**) by November 28, 2022.

Update: None at the time of this report.

On-Site Wastewater Enforcement

104) Order Type and Number: Administrative Order 22-057-OSWW
Order Date: September 23, 2022
Individual/Entity: **Sharon Knight**
Facility: Sharon Knight
Location: 1815 Williams Circle
Lancaster, SC 29720
Mailing Address: 1881 Edgeport Drive
Lancaster, SC 29720
County: Lancaster
Previous Orders: None

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

Summary: Sharon Knight (Individual/Entity) owns property located in Lancaster County, South Carolina. The Department conducted an investigation on April 26, 2022, 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: Department staff continue to monitor the site as there have been some challenges making confirmation of any repairs and/or the current status.

105) Order Type and Number: Consent Order 22-058-OSWW
Order Date: October 14, 2022
Individual/Entity: **Charles Porter, III, DBA Trae's Clearing & Grading, LLC**
Facility: Charles Porter, III, DBA Trae's Clearing & Grading, LLC
Location: Gateway Outpost, Sitton Mill Road
Seneca, SC 29676
Mailing Address: 256 Cedar Hill Road
Six Mile, SC 29682
County: Oconee
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Charles Porter, III, DBA Trae's Clearing & Grading, LLC (Individual/Entity), installed a large OSWW system on property located in Oconee County, South Carolina. The Department conducted a review of submitted documents on August 25, 2022, and determined that sub-systems of the large OSWW system were installed outside the parameters of the permit to construct and Reg. 61-56. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: constructing an OSWW system outside the parameters of the permit to construct, using pipes of a schedule lower than specified in the regulation, and not installing infiltration trenches perpendicular to the direction of the slope and parallel to the contour of the land per the regulation.

Action: The Individual/Entity is required to cease and desist installing OSWW system outside the parameters of the permit to construct and outside the requirements of Reg. 61-56. The Department has assessed a total civil penalty in the amount of one

thousand five hundred dollars (\$1,500.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand five hundred dollars (**\$1,500.00**).

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

106) Order Type and Number: Consent Order 22-059-OSWW
Order Date: October 17, 2022
Individual/Entity: **Jay E. Floyd, Professional Engineer for Ragan Smith**
Facility: Jay E. Floyd, Professional Engineer for Ragan Smith
Location: Gateway Outpost, Sitton Mill Road
Seneca, SC 29676
Mailing Address: 1410 Cowart Street, Suite 200
Chattanooga, TN 37408
County: Oconee
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Jay E. Floyd, Professional Engineer for Ragan Smith (Individual/Entity) was the professional engineer for a large OSWW system installed on property located in Oconee County, South Carolina. The Department conducted a review of submitted documents on August 25, 2022, and determined that sub-systems of the large OSWW system were installed outside of the parameters of the permit to construct and Reg. 61-56. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: constructing an OSWW system outside the parameters of the permit to construct, using pipes of a schedule lower than specified in the regulation, and not installing infiltration trenches perpendicular to the direction of the slope and parallel to the contour of the land per the regulation.

Action: The Individual/Entity is required to cease and desist installing OSWW systems outside the parameters of the permit to construct and outside the requirements of Reg. 61-56. The Department has assessed a total civil penalty in the amount of one thousand five hundred dollars (\$1,500.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand five hundred dollars (**\$1,500.00**).

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

107) Order Type and Number: Consent Order 22-054-OSWW
Order Date: October 19, 2022
Individual/Entity: **Ivan Rusev, DBA Rock Solid Excavation Services, LLC**
Facility: Ivan Rusev, DBA Rock Solid Excavation Services, LLC
Location: 2933 Pacolet Highway
Gaffney, SC 29340
Mailing Address: 140 Wilkins Road
Campobello, SC 29322

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| <u>County:</u> | Cherokee |
| <u>Previous Orders:</u> | 22-033-OSWW |
| <u>Permit Number:</u> | None |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-56 |

Summary: Ivan Rusev, DBA Rock Solid Excavation Services, LLC (Individual/Entity), installed an OSWW system at a property located in Cherokee County, South Carolina. Department personnel conducted a review of records and documents that were submitted to the Department during late June through July 2022. Department personnel determined that the OSWW system was installed outside the permitted location and that the documentation was submitted to the Department later than the required two business days. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: they constructed an OSWW system not in accordance with the permit and did not supervise their employees in the construction of the OSWW system for which they were responsible.

Action: The Individual/Entity is required to cease and desist installing OSWW systems outside the parameters of the permit. 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**).

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

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