

SUMMARY SHEET
 BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
 February 8, 2024

 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 December 1, 2023, through December 31, 2023.
3. **FACTS:** For the reporting period of December 1, 2023, through December 31, 2023, the Office of Environmental Affairs issued thirty-four (34) Consent Orders with total assessed civil penalties in the amount of one hundred sixty-three thousand, six hundred five dollars (\$163,605.00). Also, three (3) Administrative Orders with total assessed civil penalties in the amount of zero dollars (\$0.00) were reported during this period.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land and Waste Management				
UST Program	0	0	1	\$500.00
Solid Waste	0	0	0	0
Hazardous Waste	0	0	2	\$15,800.00
Mining	0	0	0	0
Radiological Health	0	0	0	0
SUBTOTAL	0	0	3	\$16,300.00
Water				
Recreational Water	0	0	21	\$22,080.00
Drinking Water	0	0	0	0
Water Pollution	0	0	3	\$17,600.00
SUBTOTAL	0	0	24	\$39,680.00
Air Quality				
SUBTOTAL	0	0	5	\$106,625.00
Environmental Health Services				
Onsite Wastewater	3	0	2	\$1,000.00
SUBTOTAL	3	0	2	\$1,000.00
OCRM				
SUBTOTAL	0	0	0	0
TOTAL	3	0	34	\$163,605.00

Submitted by:

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

ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
February 8, 2024

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Consent Order 23-0208-UST
 Order Date: December 14, 2023
 Individual/Entity: **Mitul Patel**
 Facility: Harry's Store
 Location: 355 Patterson Mill Road
 Barnwell, SC 29812
 Mailing Address: 2118 Jackson Street
 Barnwell, SC 29812
 County: Barnwell
 Previous Orders: None
 Permit/ID Number: 00887
 Violations Cited: The State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-
 2-10 et seq. and § 44-2-10(A) (2018); and South Carolina Underground Storage
 Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.21a), 280.31(a),
 280.70(c), and 280.93(a) (2012 & Supp 2022).

Summary: Mitul Patel (Individual/Entity) owns underground storage tanks (USTs) in Barnwell County, South Carolina. On June 28, 2023, the Department conducted a file review of the Facility and issued a Transfer of Ownership-New Owner Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act, and the South Carolina Underground Storage Tank Regulation as follows: failed to properly abandon a permanently closed UST system after twelve (12) months; and failed to pay annual tank registration fees (ATRFs) and associated late fees.

Action: The Individual/Entity is required to submit: a completed Tank and Sludge Disposal form for the permanent closure of the USTs at the Facility by January 28, 2024; within forty-five days (45) of the Department's approval of the Tank and Sludge Disposal form, permanently close the USTs; within sixty (60) days after the USTs have been permanently closed, submit a UST Closure and Assessment Report to the Department; and submit payment of ATRFs and associated late fees, in the amount of nine thousand, four hundred thirty-eight dollars (\$9,438.00), for fiscal years 2011 through 2023, in accordance with a promissory note. The Department has assessed a total civil penalty in the amount of nineteen thousand, seven hundred dollars (\$19,700.00). The Individual/Entity shall pay a civil penalty in the amount of five hundred dollars (**\$500.00**)

and pay a **suspended penalty** in the amount of nineteen thousand two hundred dollars (**\$19,200.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has paid the civil penalty and submitted the Tank and Sludge Disposal Form.

Hazardous Waste Enforcement

2) Order Type and Number: Consent Order 23-34-HW
 Order Date: December 14, 2023
 Individual/Entity: **AmbioPharm, Inc.**
 Facility: AmbioPharm, Inc.
 Location: 1024 Dittman Court
 North Augusta, SC

 Mailing Address: Same
 County: Aiken
 Previous Orders: None
 Permit/ID Number: SCR 000 769 414
 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: AmbioPharm, Inc. (Individual/Entity) is a peptide manufacturing facility located in Aiken County, South Carolina. The Department conducted an inspection at the facility on April 5, 2023, and issued a Notice of Alleged Violation on June 29, 2023. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to make an accurate waste determination; failed to ensure satellite accumulation area storage containers remain closed; failed to mark or label satellite accumulation area containers with the words “Hazardous Waste” and an indication of the hazards of the contents; failed to ensure central accumulation area storage containers remain closed; failed to inspect weekly central accumulation areas; failed to mark or label central accumulation area containers with the words “Hazardous Waste” and the date upon which each period of accumulation began; failed to attempt to make arrangements with the local emergency responders; and failed to ensure all employees were thoroughly familiar with proper waste handling and emergency procedures.

Action: The Individual/Entity corrected the violations prior to the issuance of the Order. The Department has assessed a total civil penalty in the amount of eight thousand dollars (\$8,000.00). The Individual/Entity is required to pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**).

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

3) Order Type and Number: Consent Order 23-35-HW
Order Date: December 14, 2023
Individual/Entity: **William Jennings Bryan Dorn VA Medical Center**
Facility: Williams Jennings Bryan Dorn VA Medical Center
Location: 6439 Garners Ferry Road
Columbia, SC 29209
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: SC4 360 090 001
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018), and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2021).

Summary: The William Jennings Bryan Dorn VA Medical Center (Individual/Entity) provides comprehensive inpatient and outpatient medical, mental health, surgical, and long-term care services for veterans at its facility in Richland County, South Carolina. The Department conducted an inspection at the facility on July 21, 2023. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: accumulated non-creditable hazardous waste pharmaceuticals on site for greater than one (1) year; failed to mark or label Satellite Accumulation Area containers with the words "Hazardous Waste," and an indication of the hazards of the contents; failed to ensure that during the treatment, storage, or disposal of ignitable or reactive wastes, and the mixture or commingling of incompatible waste and other materials, to conduct these activities so they do not: Generate extreme heat or pressure, fire or explosions, or violent reactions, produce uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health or the environment, produce uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosions, damage the structural integrity of the device or facility containing the waste, or through other like means threaten human health or the environment; failed to ensure that each lamp or a container or package in which such lamps are contained is labeled with the words "Universal Waste – Lamp(s)," or "Waste Lamp(s)," or "Used Lamp(s)"; failed to clearly label universal waste batteries (i.e., each battery), or a container in which the batteries are contained with the words "Universal Waste -Battery(ies)," or "Waste Battery(ies)," or "Used Battery(ies)"; failed to demonstrate the length of time that the universal waste had been accumulated from the date it becomes a waste or is received; failed to maintain records documenting the arrangements with the local fire department.

Action: The Individual/Entity corrected the violations prior to the issuance of the Order. The Department has assessed a total civil penalty in the amount of seven

thousand, eight hundred dollars (\$7,800.00). The Individual/Entity shall pay a civil penalty in the amount of seven thousand, eight hundred dollars (**\$7,800.00**).

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

BUREAU OF WATER

Recreational Waters Enforcement

4) <u>Order Type and Number:</u>	Consent Order 23-172-RW
<u>Order Date:</u>	December 1, 2023
<u>Individual/Entity:</u>	Bridge WF SC Reserve River Walk, LLC
<u>Facility:</u>	Reserve at Riverwalk Apartments
<u>Location:</u>	4501 Bentley Drive Columbia, SC 29210
<u>Mailing Address:</u>	Same
<u>County:</u>	Richland
<u>Previous Orders:</u>	22-202-RW (\$680.00)
<u>Permit/ID Number:</u>	40-325-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Bridge WF SC Reserve River Walk, 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 22, 2023, and August 1, 2023, 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 ladder was missing rungs; a ladder was missing non-slip tread inserts; the pool floor was dirty; the pool walls were dirty; a skimmer lid was cracked; the chlorine level was not within the acceptable range of water quality standards; the life ring was not United States Coast Guard approved; there was algae on the pool walls; there was debris in the skimmer baskets; the bathrooms were not accessible; the fill spout was broken; there was a pool vacuum operating in the pool at the time of the inspection; the gate did not self-close and latch; there were openings in the fence greater than four inches; 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 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**).

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

5) Order Type and Number: Consent Order 23-173-RW
Order Date: December 1, 2023
Individual/Entity: **The Commons at Arcadia Homeowners Association, Inc.**
Facility: Commons at Arcadia
Location: 203 Cross Creek Lane
Columbia, SC 29223
Mailing Address: 1216 Pickens Street
Columbia, SC 29201
County: Richland
Previous Orders: None
Permit/ID Number: 40-168-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: The Commons at Arcadia 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 15, 2023, and July 28, 2023, 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 on the first inspection; the lifeline was not in serviceable condition on the second inspection; a ladder was missing a non-slip tread insert; the pool floor was dirty; the pool furniture was not at least four feet from the edge of the pool; a skimmer was missing a weir; the water level was too high; 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; 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**).

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

6) Order Type and Number: Consent Order 23-174-RW
Order Date: December 4, 2023
Individual/Entity: **Shree Ganesh Hospitality, LLC**
Facility: Sleep Inn
Location: 1002 Monterey Drive
Aiken, SC 29803
Mailing Address: Same
County: Aiken
Previous Orders: None
Permit/ID Number: 02-109-1

Violations Cited:

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

Summary: Shree Ganesh Hospitality, 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 June 26, 2023, and August 11, 2023, 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 floor was dirty; there was debris in the skimmer baskets; the pool equipment room was not locked; the life ring was deteriorated and did not have a permanently attached rope; the pool rules sign was not legible or 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**).

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

7) Order Type and Number: Consent Order 23-176-RW
Order Date: December 4, 2023
Individual/Entity: **Abney Hill Estates Property Owners Association, Inc.**
Facility: Abney Hills Subdivision
Location: Abney Estates Drive
Blythewood, SC 29016
Mailing Address: 4910 Trenholm Road, Suite C
Columbia, SC 29206
County: Richland
Previous Orders: None
Permit/ID Number: 40-1186B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Abney Hill Estates Property Owners 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 26, 2023, and August 9, 2023, 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 furniture was not at least four feet from the edge of the pool; the deck was chipped; skimmers were missing weirs; the chlorine level was not within the acceptable range of water quality standards; the closure time listed on the pool rules sign was too late and the pool is not approved for night swimming; the bound and numbered log book was not maintained on a daily basis; 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 six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

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

8) Order Type and Number: Consent Order 23-177-RW
Order Date: December 7, 2023
Individual/Entity: **Bretagne Homeowners' Association, Inc.**
Facility: Bretagne
Location: 1070 Regions Boulevard
Indian Land, SC 29707
Mailing Address: 2245 Lorie Valley Drive
Indian Land, SC 29707
County: Lancaster
Previous Orders: 21-213-RW (\$2,040.00)
Permit/ID Number: 29-1062C
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Bretagne Homeowners' Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a kiddie pool located in Lancaster County, South Carolina. The Department conducted inspections on June 6, 2023, July 13, 2023, and August 2, 2023, 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; 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 three thousand three hundred sixty dollars (\$3,360.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand three hundred sixty dollars (**\$3,360.00**).

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

9) Order Type and Number: Consent Order 23-175-RW
Order Date: December 11, 2023
Individual/Entity: **Ginkgo Woodcreek, LLC**
Facility: Woodcreek Farm Apartments
Location: 751 Jacob Mill Pond Road
Elgin, SC 29045
Mailing Address: 200 South College Street, Suite 200
Charlotte, NC 28202

County: Richland
Previous Orders: None
Permit/ID Number: 40-1036B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Ginkgo Woodcreek, 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 23, 2023, and August 4, 2023, 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 floor was dirty; there was standing water on the pool deck; the water level was too high; skimmers were missing weirs; there was only one bathroom; the drinking water fountain was not operating properly; a light in the pool wall was out of its niche; a return cover was missing; the skimmer valve was partially closed; there were chemicals that were not being stored in the chemical storage room; there was no backflow prevention for the backwash; the step edge stripe was missing tiles; the gate did not self-close and latch; the chlorine level was not within the acceptable range of water quality standards; the pool rules sign did not have all of the required rules; the closure time listed on the pool rules sign was too late and the pool is not approved for night swimming; and the current pool operator of record information was not posted to the public.

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**).

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

10) Order Type and Number: Consent Order 23-178-RW
Order Date: December 11, 2023
Individual/Entity: **Sunrise Hospitality, LLC**
Facility: Days Inn Lexington
Location: 1015 South Lake Drive
Lexington, SC 29073
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: 32-184-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Sunrise Hospitality, 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 July 7, 2023, and August 3, 2023, 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 water level was too low; the foot rinse shower was not operating properly; the drinking water fountain was missing; a light in the pool wall was out of its niche; a gate did not self-close and latch; the chlorine and pH levels were not within the acceptable range of water quality standards; the life ring did not have a permanently attached rope; the pool rules sign posted 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 available for review 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**).

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

11) <u>Order Type and Number:</u>	Consent Order 23-179-RW
<u>Order Date:</u>	December 11, 2023
<u>Individual/Entity:</u>	TPG CTC USC, LLC
<u>Facility:</u>	College Town on the River Apartments
<u>Location:</u>	500 Alexander Road West Columbia, SC 29169
<u>Mailing Address:</u>	P.O. Box 222 Southeastern, PA 19399
<u>County:</u>	Lexington
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	32-1055B
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: TPG CTC USC, 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 15, 2023, and August 3, 2023, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the frost proof tiles were broken on the first inspection, and were missing on the second inspection; the pool furniture was not at least four feet from the edge of the pool; the water level was too high on the first inspection, and too low on the second inspection; a skimmer was missing a weir; the bathrooms were dirty; a gate did not self-close and latch; the chlorine level was not within the acceptable range of water quality standards; a main drain grate was missing a bolt; the shepherd’s crook was not properly mounted in its designated location and was not clear of obstructions; the shepherd’s crook handle was attached to a telescoping pole; only one “No Lifeguard On Duty – Swim At Your Own

Risk” sign was posted; 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; the disinfection equipment was not operating properly and was leaking; and there were chlorine sticks 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**).

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

12) <u>Order Type and Number:</u>	Consent Order 23-180-RW
<u>Order Date:</u>	December 11, 2023
<u>Individual/Entity:</u>	C & M Hospitality Group - SC, LLC
<u>Facility:</u>	Best Western Airport Inn
<u>Location:</u>	5009 Pelham Road Greenville, SC 29615
<u>Mailing Address:</u>	Same
<u>County:</u>	Greenville
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	23-264-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: C & M Hospitality Group - SC, LLC (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 5, 2023, and August 7, 2023, 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; the transition line was not present; 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 Department 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**).

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

13) Order Type and Number: Consent Order 23-181-RW
Order Date: December 11, 2023
Individual/Entity: **The Gates at Williams-Brice
Condominium Association**
Facility: The Gates at Williams Brice
Location: 1085 Shop Road
Columbia, SC 29201
Mailing Address: 1216 Pickens Street
Columbia, SC 29201
County: Richland
Previous Orders: None
Permit/ID Number: 40-1065B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: The Gates at Williams-Brice Condominium 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 29, 2023, and August 8, 2023, 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 broken depth marker tiles on the pool deck; the pool deck was uneven and had sharp edges; skimmers were missing weirs; there was only one bathroom; the drinking water fountain was not operating; the gate did not self-close and latch; the chlorine level was not within the acceptable range of water quality standards; the shepherd’s crook was not located in the designated location; the pool rules sign did not have a location for the lifesaving equipment; the letters on one of the “Shallow Water – No Diving Allowed” signs posted were not the appropriate size; the letters on one of 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; 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**).

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

14) Order Type and Number: Consent Order 23-182-RW
Order Date: December 14, 2023
Individual/Entity: **MHH Myrtle Beach Holdings, LLC**
Facility: Hampton Inn Resort
Location: 1801 S Ocean Boulevard
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry

Previous Orders: None
Permit/ID Number: 26-Q95-1 & 26-1778D
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: MHH Myrtle Beach Holdings, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a kiddie pool and a spa located in Horry County, South Carolina. The Department conducted inspections on June 14, 2023, July 20, 2023, and November 8, 2023, 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 bound and numbered log book was not maintained on a daily basis; frost proof tiles were broken on the spa wall; the plaster on the kiddie pool floor was deteriorated; 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 seven hundred twenty dollars (\$2,720.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand seven hundred twenty dollars (**\$2,720.00**).

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

15) Order Type and Number: Consent Order 23-183-RW
Order Date: December 15, 2023
Individual/Entity: **Wildewood Community Partners Group, Inc.**
Facility: The Wildewood Club
Location: 90 Mallett Hill Road
Columbia, SC 29223
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 40-1200C
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Wildewood Community Partners Group, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a kiddie pool located in Richland County, South Carolina. The Department conducted inspections on June 21, 2023, and August 8, 2023, 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 facility address posted at the emergency notification device was incorrect and was not weather resistant; the chlorine level was not within the acceptable range of water quality standards; the disinfection equipment was not operating properly; the automatic controller was not operating on the first inspection; and the automatic controller was not operating properly 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**).

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

- 16) Order Type and Number: Consent Order 23-184-RW
Order Date: December 15, 2023
Individual/Entity: **TREAP The Row at the Stadium Owner, LLC**
Facility: The Row at the Stadium
Location: 1105 Shop Road
Columbia, SC 29201
Mailing Address: Same
County: Richland
Previous Orders: 22-105-RW (\$680.00)
Permit/ID Number: 40-1188B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: TREAP The Row at the Stadium Owner, 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, 2023, and August 8, 2023, 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; a skimmer was missing a weir; the foot rinse shower was not operating properly; the pool equipment room was not locked; the pool hours posted were not approved because the pool is not approved for night swimming; there were chlorine pucks in the skimmer baskets; the pool floor was dirty; there was algae on the pool walls; the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was not checked weekly; 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 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**).

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

- 17) Order Type and Number: Consent Order 23-185-RW
Order Date: December 19, 2023
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: 22-149-RW (\$680.00)
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 12, 2023, and August 10, 2023, 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; a ladder was missing non-slip tread inserts; the frost-proof tiles were missing; the drinking water fountain and foot rinse shower were not operating properly; non-pool related items were being stored in the equipment room; the required backflow prevention devices such as dual inline check valves were missing; the gate did not self-close and latch; the chlorine and pH levels were not within the acceptable range of water quality standards; the life ring did not have a permanently attached rope; the location of the lifesaving equipment and emergency phone was not current and up-to-date on the pool rules sign; only one “Shallow Water – No Diving Allowed” sign was posted; the current pool operator of record information was not posted to the public; the bound and numbered log book was not available for Department review; the disinfection equipment was not in operable condition; and the recirculation and filtration system was not in operable condition.

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)**.

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

18) Order Type and Number: Consent Order 23-190-RW
Order Date: December 19, 2023
Individual/Entity: **Vintners Wood Homeowners’ Association, Inc.**
Facility: Vintners Wood
Location: 518 River Falls Lane
Lexington, SC 29072
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: 32-1091B

Violations Cited:

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

Summary: Vintners Wood Homeowners' Association, Inc. (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 July 6, 2023, and August 2, 2023, 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 bathrooms did not have paper towels or soap; the foot rinse shower was not operating properly; the drinking water fountain was not operating properly; the pool equipment room and chemical storage room were not accessible; the chlorine and pH levels were not within the acceptable range of water quality standards; the pool rules sign was not completely filled out; the bound and numbered log book was not available for review; 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 six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

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

19) <u>Order Type and Number:</u>	Consent Order 23-191-RW
<u>Order Date:</u>	December 20, 2023
<u>Individual/Entity:</u>	Plaza Place 2020, LLC
<u>Facility:</u>	Plaza Place Apartments
<u>Location:</u>	1300 Plaza Place Drive North August, SC 29841
<u>Mailing Address:</u>	1969 Rutgers University Boulevard Lakewood, NJ 08701
<u>County:</u>	Aiken
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	02-051-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51.J.22

Summary: Plaza Place 2020, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Aiken County, South Carolina. The Department issued a Notice of Enforcement Conference on November 6, 2023, as a result of a review of inspection records. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to fill in or remove the pool, which has been permanently closed for a period in excess of twenty-four consecutive months.

Action: The Individual/Entity is required to: correct all deficiencies and any upgrades required to bring the pool into compliance with Regulation 61-51 and contact the Department to schedule an inspection to verify the completed work by March 19,

2024. The Individual/Entity will be required to properly fill in or remove the pool within sixty days of the date of written notification by the Department if the requirement to bring the pool into compliance with Regulation 61-51 is not met within the specified timeline. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four hundred dollars (**\$400.00**) should any requirement of the Order not be met.

Update: On November 17, 2023, Department staff conducted a technical assistance inspection of the pool with the Individual/Entity to provide an inspection checklist of the deficiencies and required upgrades.

20) <u>Order Type and Number:</u>	Consent Order 23-186-RW
<u>Order Date:</u>	December 27, 2023
<u>Individual/Entity:</u>	Hampton Courts – Brandemere, LLC; Hampton Courts – Sabina, LLC; and Hampton Courts – Zarpuleo, LLC
<u>Facility:</u>	Hampton Courts Apartments
<u>Location:</u>	501 Pelham Drive Columbia, SC 29209
<u>Mailing Address:</u>	7020 Fain Park Drive, Suite 5 Montgomery, AL 36117
<u>County:</u>	Richland
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	40-197-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Hampton Courts – Brandemere, LLC; Hampton Courts – Sabina, LLC; and Hampton Courts – Zarpuleo, LLC (Individual/Entity) own and are responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department conducted inspections on July 5, 2023, and August 7, 2023, 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 pool floor was dirty; the pool furniture was not at least four feet from the edge of the pool; there was debris in the skimmer baskets; the water level was too low; skimmers were missing weirs; the bathrooms were dirty and did not have toilet paper and soap; there was no drinking water fountain; the equipment room was not locked; the gate did not self-close and latch; the chlorine and pH levels were not within the acceptable range of water quality standards; the facility address was not posted at the emergency notification device; the locations provided for the emergency phone and life-saving equipment were not up-to-date on the pool rules sign; the letters on the “Shallow Water – No Diving Allowed” signs posted and on the “No Lifeguard On Duty – Swim At Your Own Risk” signs posted were not the appropriate size; the log book was not properly bound and numbered; the cyanuric acid level was not recorded on a weekly basis in the log book; the log book was not

maintained on a daily basis; and the 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**).

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

21) <u>Order Type and Number:</u>	Consent Order 23-187-RW
<u>Order Date:</u>	December 27, 2023
<u>Individual/Entity:</u>	Shreeji Hospitality Investors, LLC
<u>Facility:</u>	Fairfield Inn Rock Hill
<u>Location:</u>	578 Galleria Boulevard Rock Hill, SC 29730
<u>Mailing Address:</u>	6025 Blakeney Park Drive, Suite 125 Charlotte, NC 28277
<u>County:</u>	York
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	46-1164B
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Shreeji Hospitality Investors, LLC (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 1, 2023, and July 3, 2023, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the flow meter was not operating; 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 facility could not produce current valid documentation of pool operator certification; the log book was not properly bound and numbered on the first inspection; 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; 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**).

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

22) Order Type and Number: Consent Order 23-188-RW
Order Date: December 27, 2023
Individual/Entity: **Shree Hari Hospitality Columbia, LLC**
Facility: Comfort Suites
Location: 1540 Daulton Drive
Columbia, SC 29223
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 40-1090B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Shree Hari Hospitality 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 June 2, 2023, and July 18, 2023, 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 rungs; the plaster on the pool floor was deteriorated; skimmers were missing weirs; the chlorine and pH levels were not within the acceptable range of water quality standards; the life ring was deteriorated on the first inspection; the life ring was not United States Coast Guard approved on the second inspection; the shepherd's crook handle was not the approved length; 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**).

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

23) Order Type and Number: Consent Order 23-189-RW
Order Date: December 27, 2023
Individual/Entity: **Concord Mills Hotel Investments, LLC**
Facility: TownePlace Suites by Marriott
Location: 2135 Tabor Drive
Rock Hill, SC 29730
Mailing Address: Same
County: York
Previous Orders: None
Permit/ID Number: 46-1106B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Concord Mills Hotel Investments, LLC (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 1, 2023, July 3, 2023, and August 1, 2023, 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; the flow meter was not operating; the chlorine level was not within the acceptable range of water quality standards; the pool rules sign did not have all of the required rules; the pool operator of record information was not posted to the public on the first inspection; the pool operator of record listed did not have a valid South Carolina certification and the facility could not produce current valid documentation on the second inspection; the log book was not properly bound and numbered on the first inspection; the bound and numbered log book was not maintained on the second inspection; and the bound and numbered log book was not available for review on the third inspection.

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

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

24) <u>Order Type and Number:</u>	Consent Order 23-192-RW
<u>Order Date:</u>	December 28, 2023
<u>Individual/Entity:</u>	Bridgepointe Owners Association, Inc.
<u>Facility:</u>	Bridgepointe Condominiums
<u>Location:</u>	100 Sunset Boulevard West Columbia, SC 29169
<u>Mailing Address:</u>	Same
<u>County:</u>	Lexington
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	32-125-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Bridgepointe Owners Association, Inc. (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 15, 2023, and August 10, 2023, 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 debris in the skimmer baskets; the water level was too low; the pool equipment room and chemical storage room were not accessible; a gate did not self-close and latch; the life ring rope was deteriorated; the facility address was not posted at the emergency notification device; the pool rules sign included pool hours for night swimming and the pool is not approved for night swimming; the bound and numbered log book was not available for review; there was no drinking water

fountain; there was no foot rinse shower; and the pH 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**).

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

Water Pollution Enforcement

25) Order Type and Number: Consent Order 23-056-W
Order Date: December 5, 2023
Individual/Entity: **DAK Americas LLC**
Facility: DAK Americas LLC
Location: 3350 Cypress Gardens Road
Moncks Corner, SC 29461
Mailing Address: Same
County: Berkeley County
Previous Orders: None
Permit/ID Number: NPDES Permit SC0026506
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: DAK Americas, LLC (Individual/Entity) is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Berkeley County, South Carolina. On December 9, 2022, a Notice of Violation was issued as a result of violations of the permitted discharge limits for biochemical oxygen demand (BOD) ultimate oxygen demand (UOD) 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 permitted effluent discharge limits for BOD and UOD.

Action: The Individual/Entity is required to: submit a written notification of the planned completion date for all corrective actions necessary to resolve the violations; 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 seven thousand dollars (\$7,000.00). The Individual/Entity shall pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**).

Update: The civil penalty has been paid and the planned notification of corrective actions has been submitted and retro dated; therefore, the compliance confirmation period has been completed. The Order is closed.

26) Order Type and Number: Consent Order 23-057-W
Order Date: December 5, 2023
Individual/Entity: **City of Belton**
Facility: Ducworth Wastewater Treatment Facility
Location: 1408 Highway 247
Belton, SC 29080
Mailing Address: P.O. Box 828
Belton, SC 29627
County: Anderson
Previous Orders: None
Permit/ID Number: SC0045896
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) and the Water Pollution Control Permits Regulation S.C. Code Ann. Regs. 61-9.122.41(a)

Summary: The City of Belton (Individual/Entity) owns and is responsible for the Ducworth wastewater treatment facility (WWTF) located in Anderson County, South Carolina. The Individual/Entity reported violations of ammonia-nitrogen (ammonia) and biochemical oxygen demand (BOD) on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and the Water Pollution Control Permits Regulation, as follows: failed to comply with the permitted effluent limitations for ammonia and BOD.

Action: The Individual/Entity is required to: submit written notification of the planned completion date for all corrective actions necessary to resolve the effluent violations by January 4, 2024; 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 five thousand, six hundred dollars (\$5,600.00). The Individual/Entity shall pay a civil penalty in the amount of five thousand, six hundred dollars (**\$5,600.00**) by January 4, 2024.

Update: None.

27) Order Type and Number: Consent Order 23-058-W
Order Date: December 13, 2023
Individual/Entity: **Harbor Island Utilities, Inc.**
Facility: Harbor Island Utilities Wastewater Treatment Facility

Location: 2 Harbor Drive
Harbor Island, SC
Mailing Address: 31 Sora Rail Road
Kiawah Island, SC 29455
County: Beaufort
Previous Orders: 22-016-W (\$3,500.00)
Permit/ID Number: ND0088013
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) and the Water Pollution Control Permits Regulation S.C. Code Ann Regs. 61-9.122.41(a)

Summary: South Carolina Water Utilities, Inc. (Individual/Entity) owns and is responsible for the Harbor Island Utilities, Inc. wastewater treatment facility (WWTF) located in Beaufort County, South Carolina. The Individual/Entity reported violations of total suspended solids (TSS) on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and the Water Pollution Control Permits Regulation, as follows: failed to comply with the permitted effluent limitations for TSS.

Action: The Individual/Entity is required to: submit written notification of the planned completion date for all corrective actions necessary to resolve the effluent violations by January 12, 2024; 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 five thousand dollars (\$5,000.00). The Individual/Entity shall pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**) by January 12, 2024.

Update: None.

BUREAU OF AIR QUALITY

28) Order Type and Number: Consent Order 23-031-A
Order Date: December 5, 2023
Individual/Entity: **Cochin Land LLC**
Facility: N/A
Location: 731 Woodmont Circle
Anderson, SC 29624
Mailing Address: P.O. Box 114
Lilburn, GA 30048
County: Anderson
Previous Orders: None
Permit/ID Number: N/A

Violations Cited: S.C. Code Ann. Regs. 61-62.2 (Supp. 2022) *Prohibition of Open Burning*

Summary: Cochin Land LLC (Individual/Entity) owns property located in a residential neighborhood in Anderson County, South Carolina. On June 5, 2023, a Department inspector conducted an investigation in response to a complaint of open burning. The Individual/Entity has violated South Carolina Air Pollution Control Regulations, as follows: allowed to be burned materials other than those allowed by Section I of the Open Burning Regulations, specifically household garbage.

Action: The Individual/Entity is required to: cease all open burning except as permitted by the Regulations. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of one thousand dollars (**\$1,000.00**) should any requirement of the Order not be met.

Update: None.

29) Order Type and Number: Consent Order 23-032-A
Order Date: December 6, 2023
Individual/Entity: **Guardian Industries LLC**
Facility: Guardian Industries LLC
Location: 610 L&C Railway Distribution Park
Richburg, SC 29729
Mailing Address: Same
County: Chester County
Previous Orders: None
Permit/ID Number: 0640-0018
Violations Cited: U.S. EPA 40 CFR 70.5(a)(1)(iii), S.C. Code Ann. Regs. 61-62.70.5(a)(1)(iii), and S.C. Code Ann. Regs. 61-62.1, Section II, *Permit Requirements*

Summary: Guardian Industries LLC. (Individual/Entity) operates a flat and pattern glass manufacturing facility located in Chester County, South Carolina. On September 30, 2022, the Individual/Entity submitted a Title V Permit renewal request to the Department. The Title V Permit renewal request was due no later than June 30, 2022. The Individual/Entity has violated US EPA and South Carolina Air Pollution Control Regulations, as follows: failed to submit a timely Title V Permit renewal request to the Department.

Action: The Individual/Entity is required to: comply with all terms and conditions of the current Title V Permit, until such time as the Department issues a renewed Title V Permit. The Department has assessed a total civil penalty in the amount of seven thousand dollars (\$7,000.00). The Individual/Entity shall pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**) by January 6, 2024.

Update: None.

- 30) Order Type and Number: Consent Order 23-033-A
Order Date: December 29, 2023
Individual/Entity: **Takeuchi Manufacturing (US) Limited**
Facility: Takeuchi Manufacturing (US) Limited
Location: 1876 Moore-Duncan Highway
Moore, SC 29369
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: CP-2060-0658
Violations Cited: S.C. Code Ann. Regs. 61-62.1, Section II
Permit Requirements

Summary: Takeuchi Manufacturing (US) Limited (Individual/Entity) is a manufacturing plant for compact truck loaders located in Spartanburg County, South Carolina. On February 10, 2023, the Department received a Conditional Major Operating Permit request. On July 17, 2023, the Department conducted a review of records in response to the Operating Permit request. The Individual/Entity has violated South Carolina Pollution Control Regulations, as follows: failed to apply for and obtain a construction permit prior to installing and operating sources of air pollution; failed to submit a timely written notification for the start of construction; failed to submit a timely written notification for initial start-up; failed to submit a timely request for a new or revised operating permit; failed to submit operational ranges for the shot blasting booth.

Action: The Individual/Entity is required to: comply with all terms and conditions of the Permit. The Department has assessed a total civil penalty in the amount of fourteen thousand, six hundred and twenty-five dollars (\$14,625.00). The Individual/Entity shall pay a civil penalty in the amount of fourteen thousand, six hundred and twenty-five dollars (**\$14,625.00**).

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

- 31) Order Type and Number: Consent Order 23-034-A
Order Date: December 29, 2023
Individual/Entity: **DAK Americas, LLC**
Facility: DAK Americas, LLC
Location: 3350 Cypress Gardens Road
Moncks Corner, SC 29461
Mailing Address: Same
County: Berkeley
Previous Orders: None

Permit/ID Number: 0420-0089
Violations Cited: US EPA 40 CFR 63 and S.C. Code Ann. Regs. 61-62.63 Subpart A, US EPA 40 CFR 70 and S.C. Code Ann. Regs. 61-62.70, and S.C. Code Ann. Regs 61-62.1, Section II, *Permit Requirements*.

Summary: DAK Americas (Individual/Entity) operates a polyethylene terephthalate plant, producing polyester fibers and pellets at its facility located in Berkeley County, South Carolina. The Department received a voluntary disclosure submission from the Individual/Entity. The Individual/Entity has violated US EPA and South Carolina Air Pollution Control Regulations, as follows: failed to operate and maintain an affected source, including associated air pollution control equipment and monitoring equipment, in a manner consistent with safety and good air pollution control practices by removing packing media from the scrubbers; failed to include all pollution control equipment in the Notice of Compliance Status (“NOCS”); failed to submit a revised NOCS following a change in operating status of the scrubbers following the removal of packing media; failed to identify and describe all air pollution control equipment and compliance monitoring devices or activities in the TV permit application; reported information which was inaccurate in a compliance certification stating that all information was true, accurate, and complete, in the TVACC; failed to obtain a construction permit from the Department prior to commencement of construction or document an exemption from construction permit requirements prior to constructing, altering, or adding to a source of air contaminants.

Action: The Individual/Entity is required to: discontinue all operations at the facility that require a Title V air permit (this does not include operation of the on-site wastewater treatment plant) and submit the appropriate Title V operating permit cancellation form to the Department.

Update: The Individual/Entity has submitted a permit cancellation request.

32) Order Type and Number: Consent Order 23-035-A
Order Date: December 29, 2023
Individual/Entity: **Argos Cement, LLC**
Facility: Argos Cement, LLC
Location: 463 Judge Street
Harleyville, SC 29448
Mailing Address: Same
County: Dorchester
Previous Orders: None
Permit/ID Number: 0900-0004
Violations Cited: S.C. Code Ann. Regs. 61-62.60, Subpart DDDD and S.C. Code Ann. Regs 61-62.1, Section II, *Permit Requirements*.

Summary: Argos Cement, LLC (Individual/Entity) operates a Portland cement manufacturing facility located in Dorchester County South Carolina. The

Individual/Entity conducted multiple Department-approved performance tests for CO and lead emissions. Additionally, the Department received two Excess Emissions and Continuous Monitoring System Performance and Summary Report's. The Individual/Entity has violated US EPA and South Carolina Air Pollution Control Regulations, as follows: failed to limit CO emissions and lead emissions for the rotary kiln, Kiln coal mill (KCM), and Precalciner coal mill (PCM); failed to limit lead emissions for the rotary kiln, PCM, and clinker for the rotary kiln and PCM combined; failed to limit Hg emissions for a total of four days; failed to limit CO emissions and PM emissions; failed to limit Hg emissions for a total of eighty-seven days.

Action: The Individual/Entity is required to: henceforth, maintain compliance with all applicable emission limits specified in Subpart DDDD and the Title V Permit. The Department has assessed a total civil penalty in the amount of eighty-five thousand dollars (\$85,000.00). The Individual/Entity shall pay a civil penalty in the amount of eighty-five thousand dollars (**\$85,000.00**) by January 29, 2024.

Update: None.

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

On-Site Wastewater Enforcement

33) <u>Order Type and Number:</u>	Administrative Order 23-090-OSWW
<u>Order Date:</u>	December 12, 2023
<u>Individual/Entity:</u>	Tarlisa Deangelo Dennis
<u>Facility:</u>	Tarlisa Deangelo Dennis
<u>Location:</u>	5210 McDaniel Road Rembert, SC 29128
<u>Mailing Address:</u>	Same
<u>County:</u>	Sumter
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Tarlisa Deangelo Dennis (Individual/Entity) owns property located in Sumter County, South Carolina. The Department conducted an investigation on June 26, 2023, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

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

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

34) <u>Order Type and Number:</u>	Administrative Order 23-104-OSWW
<u>Order Date:</u>	December 12, 2023
<u>Individual/Entity:</u>	Rena Dennison and Ezekiel Dennison
<u>Facility:</u>	Rena Dennison and Ezekiel Dennison
<u>Location:</u>	3571 East National Cemetery Road Florence, SC 29506
<u>Mailing Address:</u>	1806 Butt Street Georgetown, SC 29440
<u>County:</u>	Florence
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Rena Dennison and Ezekiel Dennison (Individual/Entity) owns property located in Florence County, South Carolina. The Department conducted an investigation on October 30, 2023, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

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

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

35)	<u>Order Type and Number:</u> <u>Order Date:</u> <u>Individual/Entity:</u> <u>Facility:</u> <u>Location:</u> <u>Mailing Address:</u> <u>County:</u> <u>Previous Orders:</u> <u>Permit Number:</u> <u>Violations Cited:</u>	Administrative Order 23-105-OSWW December 12, 2023 Rodney Smith and Candace Smith Rodney Smith and Candace Smith 301 South Lansdale Drive Florence, SC 29506 Same Florence None None S.C. Code Ann. Regs. 61-56
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Summary: Rodney Smith and Candace Smith (Individual/Entity) owns property located in Florence County, South Carolina. The Department conducted an investigation on October 17, 2023, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

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

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

36)	<u>Order Type and Number:</u> <u>Order Date:</u> <u>Individual/Entity:</u> <u>Facility:</u> <u>Location:</u> <u>Mailing Address:</u> <u>County:</u> <u>Previous Orders:</u> <u>Permit Number:</u> <u>Violations Cited:</u>	Consent Order 23-098-OSWW December 1, 2023 Ronnie T. Gilbert, DBA AARMS of Boiling Springs Ronnie T. Gilbert, DBA AARMS of Boiling Springs 140 Burchette Drive Chesnee, SC 29323 120 Riverdale Drive Chesnee, SC 29323 Spartanburg 20-046-OSWW None S.C. Code Ann. Regs. 61-56
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Summary: Ronnie T. Gilbert, DBA AARMS of Boiling Springs (Individual/Entity) installed an OSWW system on property located in Spartanburg County, South Carolina. The Department conducted a Final Inspection on August 17, 2023, and observed that the OSWW system was covered before the time of the scheduled inspection. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to wait a full thirty (30) minutes from the time of a scheduled Final Inspection before covering any newly installed OSWW system.

Action: The Individual/Entity is required to cease and desist covering newly installed OSWW systems without waiting a full thirty (30) minutes from the time of a scheduled Final Inspection. 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.

37) <u>Order Type and Number:</u>	Consent Order 23-103-OSWW
<u>Order Date:</u>	December 21, 2023
<u>Individual/Entity:</u>	Trent Ivey, DBA Ivey Septic
<u>Facility:</u>	Trent Ivey, DBA Ivey Septic
<u>Location:</u>	Pierce Cook Road Woodruff, SC 29388
<u>Mailing Address:</u>	412 Browns Creek Church Road Union, SC 29379
<u>County:</u>	Spartanburg
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Trent Ivey, DBA Ivey Septic (Individual/Entity) installed an OSWW system on property located in Spartanburg County, South Carolina. The Department conducted a review of submitted documents on June 20, 2023, and determined the document was missing vital information, and the drainfield was installed outside the permitted area. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: installed portions of an OSWW system outside the specifications of the Permit to Construct.

Action: The Individual/Entity is required to cease and desist installing OSWW systems outside the specifications of the Permit to Construct. 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.

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