

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
May 5, 2022

 ACTION/DECISION

 X INFORMATION

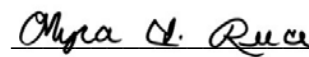
1. **TITLE:** Administrative and Consent Orders issued by the Office of Environmental Affairs.

1. **SUBJECT:** Administrative and Consent Orders issued by the Office of Environmental Affairs during the period March 1, 2022, through March 31, 2022.

1. **FACTS:** For the reporting period of March 1, 2022, through March 31, 2022, the Office of Environmental Affairs issued forty-four (44) Consent Orders with total assessed civil penalties in the amount of two hundred seventy-one thousand, nine hundred twenty dollars (\$271,920.00). Also, ten (10) Administrative Orders with total assessed civil penalties in the amount of ninety-three thousand, two hundred dollars (\$93,200.00) were reported during this period.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land and Waste Management				
UST Program	4	\$68,700.00	8	\$28,280.00
Aboveground Tanks	0	0	0	0
Solid Waste	1	\$3,500.00	1	\$600.00
Hazardous Waste	0	0	1	\$35,000.00
Infectious Waste	0	0	4	\$143,400.00
Mining	0	0	1	\$1,000.00
SUBTOTAL	5	\$72,200.00	15	\$208,280.00
Water				
Recreational Water	0	0	0	0
Drinking Water	0	0	7	\$16,140.00
Water Pollution	0	0	7	\$21,800.00
Dam Safety	0	0	0	0
SUBTOTAL	0	0	14	\$37,940.00
Air Quality				
SUBTOTAL	3	\$21,000.00	3	\$14,000.00
Environmental Health Services				
Food Safety	0	0	11	\$10,700.00
Onsite Wastewater	2	0	1	\$1,000.00
SUBTOTAL	2	0	12	\$11,700.00
OCRM				
SUBTOTAL	0	0	0	0
TOTAL	10	\$93,200.00	44	\$271,920.00

Submitted by:


Myra C. Reece
Director of Environmental Affairs

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
May 5, 2022**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 21-0615-UST
Order Date: February 15, 2021
Individual/Entity: **Bhole Baba, LLC**
Facility: Swami Food Store
Location: 830 Bleckley Street
Anderson, SC 29625
Mailing Address: Same
County: Anderson
Previous Orders: None
Permit/ID Number: 00565
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, 280.31(b)(1), 280.34(c), 280.70(a), 280.93(a) and 280.110(c) (2012 & Supp 2020).

Summary: Bhole Baba, LLC (Individual/Entity) owns and operates underground storage tanks in Anderson County, South Carolina. The Department issued a Transfer of Ownership – New Owner letter on June 7, 2021. A Notice of Alleged Violation (NOAV) dated October 5, 2020, was enclosed. Additional NOAVs were issued on July 17, 2021, and October 6, 2021. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to have corrosion protection system tested at least once every three (3) years; failed to provide records to the Department upon request; failed to continue operation and maintenance of corrosion protection on a temporarily closed UST; failed to demonstrate financial responsibility for an UST system; and, failed to submit evidence of financial assurance.

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 and within sixty (60) days of the Department's approval of the form, permanently close the USTs and submit an UST Closure and Assessment Report to the Department; and submit a completed certificate of Financial Responsibility Form and evidence of financial assurance by April 16, 2022. The Department has assessed a total civil penalty in the amount of twenty-one thousand, eight hundred fifty dollars (\$21,850.00). The Individual/Entity shall pay a civil penalty in the amount of twenty-one thousand, eight hundred fifty dollars (**\$21,850.00**) by April 16, 2022.

Update: The Individual/Entity did not file a Request for Review; therefore, the effective date of the Order is March 3, 2022. This has been referred to Office of General Counsel for further action.

2) Order Type and Number: Administrative Order 21-0501-UST
Order Date: February 22, 2022
Individual/Entity: **Estate of Albert Rollings, Sr.**
Facility: City Service
Location: 204 South Main Street
Jefferson, SC 29718
Mailing Address: P. O. Box 141
Jefferson, SC 29718-0141
County: Chesterfield
Previous Orders: AO 20-0202-UST (\$17,250.00)
Permit/ID Number: 02300
Violations Cited: The State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. § 44-
2-60(A) (2018).

Summary: The Estate of Albert Rollings, Sr. (Individual/Entity) owns and operates underground storage tanks (USTs) in Chesterfield County, South Carolina. On May 4, 2021, 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: failure to pay annual UST registration fees.

Action: The Individual/Entity is required to submit annual UST registration fees and associated late fees for fiscal year 2022 in the amount of two hundred forty-two dollars (\$242.00) by April 26, 2022. The Department has assessed a total civil penalty in the amount of one thousand, two hundred dollars (\$1,200.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, two hundred dollars (**\$1,200.00**) by April 26, 2022.

Update: The Individual/Entity did not file a Request for Review; therefore, the effective date of the Order is March 12, 2022.

3) Order Type and Number: Administrative Order 21-0544-UST
Order Date: March 1, 2022
Individual/Entity: **Russell T. Williford**
Facility: Morris Service Station
Location: 1502 Lockhart Highway
Union, SC 29379
Mailing Address: 107 Osborne Street
Union, SC 29379
County: Union
Previous Orders: None
Permit/ID Number: 15373
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, 280.34(c), 280.70(a), 280.242, and
280.242(b)(4) (2012 and Supp. 2020).

Summary: Russell T. Williford (Individual/Entity) owns and operates underground storage tanks (USTs) in Union County, South Carolina. On August 24, 2021, the Department conducted an inspection 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 provide records to the Department upon request; failed to continue release detection and/or corrosion protection for a temporarily closed UST; failed to have a Class A/B operator trained for the Facility; failed to physically visit and document quarterly site visits; and failed to pay annual tank registration fees (ATRFs).

Action: The Individual/Entity is required to: submit current passing corrosion protection system test results for the piping associated with the USTs at the Facility; submit proof a Class A/B operator has been trained and designated for the Facility; submit proof a Class A/B walkthrough/operator inspection log has been initiated and is being properly maintained; and pay the ATRFs and associated late fees for fiscal years 2020, 2021, and 2022 in the amount of one thousand, six hundred ninety-four dollars (\$1,694.00) by May 3, 2022. The Department has assessed a total civil penalty in the amount of seven thousand, five hundred dollars (\$7,500.00). The Individual/Entity shall pay a civil penalty in the amount of seven thousand, five hundred dollars (**\$7,500.00**) by May 3, 2022.

Update: The Individual/Entity did not file a Request for Review; therefore, the effective date of the Order is March 19, 2022.

4) Order Type and Number: Administrative Order 22-0049-UST
Order Date: March 10, 2022
Individual/Entity: **Pavan Parth, LLC**
Facility: Pavan Food Store 102
Location: 1048 South Main Street
Greenwood, SC 29646-3254
Mailing Address: 115 Lavender Hill Court
Simpsonville, SC 29681-5370
County: Greenwood
Previous Orders: AO 21-0225-UST (\$6,300.00)
Permit/ID Number: 04734
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, 280.21(b), 280.31(a), and 280.70(c) (2012 and Supp. 2020).

Summary: Pavan Parth, LLC (Individual/Entity) owns and operates underground storage tanks (USTs) in Greenwood County, South Carolina. On December 9, 2021, 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 protect an operating UST system from corrosion; failed to operate and maintain corrosion protection equipment continuously; and failed to properly abandon a temporarily closed UST system after twelve (12) months.

Action: The Individual/Entity is required to submit: a completed UST tank and Sludge Disposal form for the permanent closure of the USTs; within forty-five (45) days of the Department's approval of the Tank and Sludge Disposal form, permanently close the USTs; within sixty (60) days of permanent closure, an UST Closure and Assessment Report. The Department has assessed a total civil penalty in the amount of thirty-eight thousand, one hundred fifty dollars (\$38,150.00). The Individual/Entity shall pay a civil penalty in the amount of thirty-eight thousand, one hundred fifty dollars (**\$38,150.00**).

Location: 136 Wilborn Avenue
Ridgeville, SC 29472
Mailing Address: P.O. Box 21787
Columbia, SC 29221
County: Dorchester
Previous Orders: None
Permit/ID Number: 10172
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, 280.40(a), 280.40(a)(1) (2012 & Supp 2020).

Summary: South Carolina Department of Corrections (Individual/Entity) owns and operates underground storage tanks in Dorchester County, South Carolina. The Department conducted an inspection and issued a Notice of Alleged Violation on December 22, 2020. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to provide adequate release detection method and failed to conduct monthly monitoring of an UST system.

Action: The Individual/Entity is required to: submit proof of an adequate release detection method and current release detection equipment operability test result and begin monthly monitoring by April 18, 2022. The Department has assessed a total civil penalty in the amount of three thousand, three hundred sixty-five dollars (\$3,365.00). The Individual/Entity shall pay a **suspended penalty** in the amount of three thousand, three hundred sixty-five dollars (**\$3,365.00**) should any requirements of the Order not be met.

Update: None.

7) Order Type and Number: Consent Order 21-0090-UST
Order Date: March 3, 2022
Individual/Entity: **South Carolina Department of Corrections**
Facility: Ridgeland Correctional Institute
Location: 5 Correctional Road
Ridgeland, SC 29936-4545
Mailing Address: P.O. Box 21787
Columbia, SC 29221
County: Jasper
Previous Orders: None
Permit/ID Number: 14967
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, 280.35(a)(2), 280.40(a), 280.40(a)(3), and 280.41(b)(1), 280.41(b)(1)(i)(B) (2012 & Supp 2020).

Summary: South Carolina Department of Corrections (Individual/Entity) owns and operates underground storage tanks in Jasper County, South Carolina. The Department conducted an inspection and issued a Notice of Alleged Violation on January 12, 2021. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to inspect overfill prevention equipment at

least once every three (3) years; failed to provide adequate release detection method; failed to conduct tank release detection operability test annually; failed to perform piping release detection for piping installed on or before May 23, 2008; and failed to conduct annual tightness test or have monthly monitoring of pressurized piping.

Action: The Individual/Entity is required to: submit a current passing 0.2-gph release detection method for the 10,000-gallon diesel UST; submit evidence a line leak detector has been installed in the submersible turbine pump for the 10,000-gallon diesel UST followed by a function check; and submit overflow prevention device equipment test results for the 20,000-gallon regular UST and the 8,000-gallon diesel UST by April 18, 2022. The Department has assessed a total civil penalty in the amount of two thousand, three hundred ninety dollars (\$2,390.00). The Individual/Entity shall pay a **suspended penalty** in the amount of two thousand, three hundred ninety dollars (**\$2,390.00**) should any requirements of the Order not be met.

Update: All requirements of the Order have been met. The Order is closed.

8) Order Type and Number: Consent Order 21-0392-UST
Order Date: March 3, 2022
Individual/Entity: **South Carolina Department of Corrections**
Facility: Turbeville Correctional Institution
Location: 1578 Clarence Coker Highway
Turbeville, SC 29162-9419
Mailing Address: P.O. Box 21787
Columbia, SC 29221
County: Clarendon
Previous Orders: None
Permit/ID Number: 14857
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, 280.34(c), 280.35(a)(1), 280.35(a)(2), 280.40(a), 280.40(a)(3), 280.41(b)(1)(i)(B), 280.43(d), 280.44(a), 280.45(b)(1), and 280.50 (2012 & Supp 2020).

Summary: South Carolina Department of Corrections (Individual/Entity) owns and operates underground storage tanks in Clarendon County, South Carolina. The Department conducted an inspection and issued a Notice of Alleged Violation on June 8, 2021. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to provide records upon request; failed to prevent releases from spill buckets and/or containment sumps used for interstitial monitoring of piping; failed to inspect overflow prevention equipment at least once every three (3) years; failed to provide adequate release detection method; failed to conduct tank release detection operability test annually; failed to conduct annual tightness test or have monthly monitoring of pressurized piping; failed to conduct release detection using automatic tank gauge; failed to conduct automatic line leak detector and/or sump sensor test annually; failed to maintain records for at least one year; and failed to report a suspected release.

Action: The Individual/Entity is required to: submit a passing automatic tank gauge sensor/probe test results and current passing ATG for the 10,000-gallon off-road

diesel UST; passing line tightness, line leak detector, and function check test results for the 10,000-gallon off-road diesel UST; passing overfill equipment operability test results for all USTs; passing spill bucket integrity test results for the 10,000-gallon off-road diesel UST by April 18, 2022. The Department has assessed a total civil penalty in the amount of four thousand, five hundred ten dollars (\$4,510.00). The Individual/Entity shall pay a **suspended penalty** in the amount of four thousand, five hundred ten dollars (**\$4,510.00**) should any requirement of the Order not be met.

Update: The Department has received all compliance documentation except a line leak detector function check and overfill operability test results for the 10,000-gallon off-road diesel UST.

9) Order Type and Number: Consent Order 22-0042-UST
Order Date: March 8, 2022
Individual/Entity: **S&M 786 Elko, LLC**
Facility: Elko Grocery
Location: 10193 Highway 78
Elko, SC 29826
Mailing Address: 2840 Brooklet-Leefield Road
Brooklet, GA 30415
County: Barnwell
Previous Orders: None
Permit/ID Number: 00882
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, 280.31(b)(1), 280.34(c), 280.35(a)(1)(ii), 280.35(a)(2), 280.36(a)(1)(i), 280.40(a), 280.41(b)(1)(i)(B), 280.43(d), 280.43(g), 280.44(a), 280.45(b)(1), 280.93(a), 280.110(c), and 280.242(b)(3) (2012 & Supp 2020).

Summary: S&M 786 Elko, LLC (Individual/Entity) owns and operates underground storage tanks in Barnwell County, South Carolina. The Department conducted a file review and issued a Notice of Alleged Violation on November 18, 2021 and conducted an inspection and issued a Notice of Alleged Violation on December 7, 2021. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to have cathodic protection system tested at least once every three (3) years; failed to provide records to the Department upon request; failed to conduct triennial spill bucket integrity tests; failed to inspect overfill prevention equipment at least once every three (3) years; failed to conduct a monthly walkthrough inspection; failed to provide an adequate release detection method; failed to conduct annual tightness test or have monthly monitoring of pressurized piping; failed to conduct proper release detection using an automatic tank gauge; failed to conduct proper release detection using interstitial monitoring; failed to conduct an annual test of automatic line leak detectors and/or sump sensors; failed to maintain records for at least one (1) year; failed to demonstrate financial responsibility for an UST system; failed to submit evidence of financial assurance to the Department upon request; and failed to validate that monthly requirements have been performed.

Action: The Individual/Entity is required to: repair and/or replace the overfill prevention equipment and submit passing follow-up overfill operability test results for all USTs at the Facility; repair and/or replace sump sensors for all submersible turbine pump

sumps and submit passing follow-up sump sensor function check results for all STP sumps at the Facility; submit passing integrity test results for the spill buckets at the Facility; repair and/or replace the under dispenser containment sumps at the Facility; submit passing follow-up integrity test results for all under dispenser containment sumps at the Facility, and conduct a site check and submit the results to the Department for all under dispenser containment sumps at the Facility; repair and/or replace the STP sumps at the Facility; submit passing follow-up integrity test results for all STP sumps at the Facility, and conduct a site check and submit the results to the Department for all STP sumps at the Facility; repair and/or replace the cathodic protection system and submit passing follow-up cathodic protection system test results for all USTs at the Facility; submit proof that a Class A/B Operator/Walkthrough log (D-3185) is being maintained; submit proof that all Class A/B Operators have completed supplemental training; and submit a completed Certificate of Financial Responsibility form (D-3472) and evidence of financial assurance by April 22, 2022. The Department has assessed a total civil penalty in the amount of nine thousand, three hundred fifteen dollars (\$9,315.00). The Individual/Entity shall pay a civil penalty in the amount of nine thousand, three hundred fifteen dollars (**\$9,315.00**) by April 22, 2022.

Update: The Department has received all of the compliance documentation except: proof the cathodic protection system has been repaired/replaced and passing follow-up cathodic protection system test results; proof that a Class A/B operator/Walkthrough log is being maintained; and a completed Certificate of Financial Responsibility and evidence of financial assurance. The civil penalty has not been paid.

10) Order Type and Number: Consent Order 21-0607-UST
Order Date: March 10, 2022
Individual/Entity: **McCall Farms, Inc.**
Facility: Hubs Grill & Grocery
Location: 116 Olanta Highway
Effingham, SC 29541
Mailing Address: 6615 South Irby Street
Florence, SC 29541-9711
County: Florence
Previous Orders: None
Permit/ID Number: 03453
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, 280.34(c), 280.70(a), 280.242, 280.242(b)(3) and 280.242(b)(4) (2012 and Supp. 2020).

Summary: McCall Farms, Inc. (Individual/Entity) owns and operates an underground storage tank (UST) in Florence County, South Carolina. On October 1, 2021, the Department conducted an inspection 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 provide records to the Department upon request; failed to continue release detection and/or corrosion protection for a temporarily closed UST; failed to have a Class A/B operator trained for the Facility; and failed to validate the monthly and quarterly requirements have been performed and documented.

Action: The Individual/Entity is required to: submit proof the UST contains less than one (1) inch of residue; submit proof a Class A/B operator has been trained and designated for the Facility; submit proof a Class A/B Operator/Walkthrough log been

initiated and is being properly maintained; and submit either proof a rectifier box has been installed and subsequent passing cathodic protection system test results or permanently close the UST by April 25, 2022. The Department has assessed a total civil penalty in the amount of two thousand, four hundred fifty dollars (\$2,450.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, four hundred fifty dollars (**\$2,450.00**) is due by April 25, 2022.

Update: None.

- 11) Order Type and Number: Consent Order 21-0472-UST
Order Date: March 31, 2022
Individual/Entity: **ARC ATMTTPSC001, LLC**
Facility: Citibank Na, Inc.
Location: 11 Ewall Street
Mt. Pleasant, SC 29464
Mailing Address: 2325 East Cameblack Road
Phoenix, AZ 85016
County: Charleston
Previous Orders: None
Permit/ID Number: 18732
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, 280.30(a)(1), 280.33(f), 280.35(a)(2), 280.40(a), 280.41(b)(1)(i)(B), 280.50, and 280.52 (2012 & Supp 2020).

Summary: ARC ATMTTPSC001, LLC (Individual/Entity) owns and operates underground storage tanks in Charleston County, South Carolina. On July 17, 2021, the Department conducted a routine 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 ensure that release due to spilling or overfilling do not occur; failed to repair and/or replace a spill bucket which failed integrity testing; failed to inspect overfill prevention equipment at least once every three (3) years; failed to provide an adequate release detection method; failed to conduct annual tightness test or have monthly monitoring of pressurized piping; failed to report a suspected release; and failed to investigate a suspected release.

Action: The Individual/Entity is required to: conduct a site check at the diesel Tank #2 and submit results to the Department; submit proof the spill bucket for diesel Tank #2 has been repaired and/or replaced and submit passing follow-up hydrostatic test results to the Department; submit passing overfill prevention equipment operability test results for all USTs at the Facility; and install line leak detectors for the submersible turbine pumps for all USTs at the Facility and submit follow-up line leak detector function check results to the Department by May 31, 2022. The Department has assessed a total civil penalty of eight thousand, three hundred fifteen dollars (\$8,315.00). The Individual/Entity shall pay a civil penalty of eight thousand, three hundred fifteen dollars (**\$8,315.00**) by May 16, 2022.

Update: None.

- 12) Order Type and Number: Consent Order 22-0078-UST

Order Date: March 31, 2022
Individual/Entity: **Ryder Truck Rentals, Inc.**
Facility: Ryder Truck Rentals, Inc. 0148A
Location: 615 Simuel Road
Spartanburg, SC 29301
Mailing Address: 16155 Park Road, Suite 140
Houston, TX 77084
County: Spartanburg
Previous Orders: None
Permit/ID Number: 08095
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, 280.20(c)(1)(ii) (2012 & Supp 2020).

Summary: Ryder Truck Rentals, Inc. (Individual/Entity) operates an underground storage tank (UST) in Spartanburg County, South Carolina. On March 1, 2022, the Department conducted an inspection and issued a Notice of Alleged Violation. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to maintain overfill prevention equipment.

Action: The Individual/Entity corrected all violations prior to issuance of the Order. The Department has assessed a total civil penalty in the amount of six thousand dollars (\$6,000.00). The Individual/Entity shall pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**) by May 16, 2022.

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

Solid Waste Enforcement

13) Order Type and Number: Administrative Order 21-12-SW
Order Date: March 3, 2022
Individual/Entity: **Joe Wilson**
Facility: Joe's Tires
Location: 101 East Smith Street
Timmonsville, SC 29161
Mailing Address: Same
County: Florence
Previous Orders: None
Permit/ID Number: None
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, S.C. Code Ann. §§ 44-96-10 et seq. (2002 & Supp. 2018); Solid Waste Management: Waste Tires, Regulation, 61-107.3 (2015).

Summary: Joe Wilson (Individual/Entity), operates a used tire facility located in Florence County, South Carolina. The Department conducted an inspection in response to a complaint and issued a Notice of Alleged Violation on October 26, 2021. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act, the Solid Waste Management: Waste Tires Regulations as follows: failed to meet the exemption for requiring a permit by storing greater than one thousand (1,000) waste tires at the facility.

Action: The Individual/Entity is required to: remove and properly dispose of the waste tires in excess of one thousand (1,000); provide disposal receipts to the Department; and submit a waste tire hauler application form, if appropriate. The Department has assessed a total civil penalty of three thousand, five hundred dollars (\$3,500.00). The Individual/Entity shall pay a civil penalty of three thousand, five hundred dollars (**\$3,500.00**) by May 3, 2022.

Update: The Individual/Entity did not file a Request for Review; therefore, the effective date of the Order is March 19, 2022.

14) Order Type and Number: Consent Order 21-16-SW
Order Date: March 1, 2022
Individual/Entity: **Town of Latta**
Facility: Town of Latta Composting Site
Location: 107 NW Railroad Avenue
Latta, SC 29565
Mailing Address: Same
County: Dillon
Previous Orders: None
Permit/ID Number: 171002-3001
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (Act), Solid Waste Management: Compost and Mulch Production from Land-clearing Debris, Yard Trimmings, and Organic Residuals Regulation, R.61-107.4 (2014 & Supp. 2019), Part III E.13.b. and Permit 171002-3001, General Conditions, 5.

Summary: Town of Latta (Individual/Entity), is responsible for operating a Composting Facility in Dillon County, South Carolina. On September 7, 2021, the Department conducted a file review and determined that the Individual/Entity had not submitted its 2021 Annual Report. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act, Solid Waste Management: Compost and Mulch Production from Land-clearing Debris, Yard Trimmings, and Organic Residuals Regulation, and the Permit as follows: failed to submit an annual report for fiscal year 2021.

Action: The Individual/Entity is required to: submit an annual report for fiscal year 2021; and pay a civil penalty in the amount of six hundred dollars (**\$600.00**) by April 15, 2022.

Update: All requirements of the Order have been met. The Order is closed.

Hazardous Waste Enforcement

15) Order Type and Number: Consent Order 22-06-HW
Order Date: March 10, 2022
Individual/Entity: **Safety Kleen Systems, Inc.**
Facility: Safety Kleen Systems, Inc.
Location: 2818 Old Woodruff Road

	Spartanburg, SC 29652
<u>Mailing Address:</u>	Same
<u>County:</u>	Spartanburg
<u>Previous Orders:</u>	19-7-HW (\$13,500.00)
<u>Permit/ID Number:</u>	SCD 981 031 040
<u>Violations Cited:</u>	The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 <u>et seq.</u> (2018), and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2020).

Summary: Safety Kleen Systems, Inc. (Individual/Entity) specializes in the proper handling and disposal of both hazardous and non-hazardous waste at its facility located in Spartanburg County, South Carolina. The Department conducted an inspection at the facility on September 21, 2021. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to record inspections in an inspection log; failed to remedy any deterioration or malfunction of equipment and record remedial action in an inspection log; stored transfer waste for greater than 10 days; exceeded storage limit capacity; failed to clean up spillage that occurred during processing; failed to measure shell, bottom, and top thickness of the hazardous waste tank; failed to maintain the secondary containment system; and failed to use appropriate spill and overflow controls.

Action: The Individual/Entity is required to: submit measurements for the top tank shell and bottom thickness and the visual inspections for the hazardous waste tank by April 11, 2022 and submit a Work Plan for the secondary containment system by May 11, 2022. The Department assessed a total civil penalty in the amount of thirty-five thousand dollars (\$35,000.00). The Individual/Entity shall pay a civil penalty in the amount of thirty-five thousand dollars (**\$35,000.00**) by April 11, 2022.

Update: The civil penalty has been paid in full.

Infectious Waste Enforcement

16)	<u>Order Type and Number:</u>	Consent Order 22-05-IW
	<u>Order Date:</u>	March 7, 2022
	<u>Individual/Entity:</u>	Roper Hospital
	<u>Facility:</u>	Roper Hospital
	<u>Location:</u>	316 Calhoun Street Charleston, SC 29401
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Charleston
	<u>Previous Orders:</u>	20-04-IW (\$16,680)
	<u>Permit/ID Number:</u>	SC10-0264G
	<u>Violations Cited:</u>	The South Carolina Infectious Waste Management Act, S.C. Code ann. §§ 44-93-10 <u>et seq.</u> (2002) and the South Carolina Infectious Waste Management Regulation, 8. S.C. Code Ann. Regs. 61-105 (2010).

Summary: Roper Hospital (Individual/Entity) is a non-profit, full-service hospital located in Charleston County, South Carolina. The Department conducted site visits on August 27, 2021, September 9, 2021, September 16, 2021, and October 5, 2021. The

Individual/Entity has violated the South Carolina Infectious Waste Management Act and the South Carolina Infectious Waste Management Regulation as follows: failed to segregate and manage infectious waste to prevent exposure to the public or release to the environment; offered infectious waste to a non-registered transporter; failed to package infectious waste in accordance with the requirements of R.61-105 Section I; failed to place and maintain all sharps in a rigid, leak-resistant, and puncture resistant containers; failed to maintain other types of infectious waste in rigid containers that were impervious to moisture; failed to use containers with sufficient strength to prevent bursting and tearing; failed to use plastic bags that were red or orange color with sufficient strength to prevent tearing; failed to use containers that were appropriate for storage, transportation, and treatment; failed to label containers of infectious waste with the universal biohazard symbol, the Department issued number of the in-state generator, and the date the container was placed in storage or sent offsite; and failed to treat infectious waste prior to disposal.

Action: The Individual/Entity has corrected the violations. The Department has assessed a total civil penalty in the amount of fifty thousand dollars (\$50,000.00). The Individual/Entity shall pay a civil penalty in the amount of fifty thousand dollars (**\$50,000.00**) by April 7, 2022.

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

17) Order Type and Number: Consent Order 22-06-IW
Order Date: March 7, 2022
Individual/Entity: **Bon Secours St. Francis Hospital**
Facility: Bon Secours St. Francis Hospital
Location: 2095 Henry Tecklenburg Drive
Charleston, SC 29414
Mailing Address: Same
County: Charleston
Previous Orders: 20-03-IW (\$18,720.00) 20-04-IW
(\$16,680.00)
Permit/ID Number: SC10-0263G
Violations Cited: The South Carolina Infectious Waste Management Act, S.C. Code ann. §§ 44-93-10 et seq. (2002) and the South Carolina Infectious Waste Management Regulation, 8. S.C. Code Ann. Regs. 61-105 (2010).

Summary: Bon Secours St. Francis Hospital (Individual/Entity) is a non-profit, full-service hospital located in Charleston County, South Carolina. The Department conducted site visits on September 28, 2021, and October 12, 2021. The Individual/Entity has violated the South Carolina Infectious Waste Management Act and the South Carolina Infectious Waste Management Regulation as follows: failed to segregate and manage infectious waste to prevent exposure to the public or release to the environment; offered infectious waste to a non-registered transporter; failed to package infectious waste in accordance with the requirements of R.61-105 Section I; failed to place and maintain all sharps in a rigid, leak-resistant, and puncture resistant containers; failed to maintain other types of infectious waste in rigid containers that were impervious to moisture; failed to use containers with sufficient strength to prevent bursting and tearing; failed to use plastic bags that were red or orange color with sufficient strength to prevent tearing; failed to use containers that were appropriate for storage, transportation, and treatment; failed to label containers of infectious waste with the universal biohazard symbol, the Department issued number of the in-state generator, and the date the container was placed in storage or sent offsite; and failed to treat infectious waste prior to disposal.

Action: The Individual/Entity has corrected the violations. The Department has assessed a total civil penalty in the amount of fifty-four thousand dollars (\$54,000.00). The Individual/Entity shall pay a civil penalty in the amount of fifty-four thousand dollars (**\$54,000.00**) by April 7, 2022.

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

18) Order Type and Number: Consent Order 22-07-IW
Order Date: March 21, 2022
Individual/Entity: **Ralph H. Johnson VA Medical Center**
Facility: VA Medical Center
Location: 109 Bee Street
Charleston, SC 29401
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit/ID Number: SC10-0257G
Violations Cited: The South Carolina Infectious Waste Management Act, S.C. Code ann. §§ 44-93-10 et seq. (2002); and the South Carolina Infectious Waste Management Regulation, 8. S.C. Code Ann. Regs. 61-105 (2010).

Summary: Ralph H. Johnson VA Medical Center (Individual/Entity), operates a primary care facility in Charleston County, South Carolina. On September 20, 2021, the Department opened an investigation and conducted site visits on September 20, 2021, October 27, 2021, and November 2, 2021. The Individual/Entity has violated the South Carolina Infectious Waste Management Act and the South Carolina Infectious Waste Management Regulation as follows: failed to segregate infectious waste at the point of generation; failed to manage infectious waste in a manner which prevents exposure to the public or release to the environment; failed to offer infectious waste for offsite transport only to a transporter registered with the Department or the U.S. Postal Service; failed to package infectious waste in accordance with the requirements of R.61-105 Section I to prevent a release; failed to place and maintain all sharps in a rigid, leak-resistant, and puncture resistant containers; failed to place, store, and maintain all other types of infectious waste during transport in rigid or semirigid leak-resistant containers; failed to use containers that had sufficient strength to prevent bursting and tearing; failed to use plastic bags that were red or orange color and had sufficient strength to prevent tearing; failed to contain infectious waste in containers that were appropriate for storage, transportation, and treatment processes; failed to label containers of infectious waste with the universal biohazard symbol, the Department issued number of the in-state generator, and the date the container was placed in storage or sent offsite; failed to treat infectious waste prior to disposal; and failed to report to the Department within twenty-four (24) hours and investigate and confirm all suspected releases of infectious waste.

Action: The Individual/Entity has corrected the violations. The Department has assessed a total civil penalty in the amount of twenty-five thousand dollars (\$25,000.00). The Individual/Entity shall pay a civil penalty of twenty-five thousand dollars (**\$25,000.00**) by April 21, 2022.

Update: None.

- 19) Order Type and Number: Consent Order 22-08-IW
Order Date: March 23, 2022
Individual/Entity: **Conway Medical Center**
Facility: Conway Medical Center
Location: 300 Singleton Ridge Road
Conway, SC 29526
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: SC26-0076G
Violations Cited: The South Carolina Infectious Waste Management Act, S.C. Code ann. §§ 44-93-10 et seq. (2002); and the South Carolina Infectious Waste Management Regulation, 8. S.C. Code Ann. Regs. 61-105 (2010).

Summary: Conway Medical Center (Individual/Entity), operates a non-profit full-service hospital located in Horry County, South Carolina. The Department conducted an open investigation on November 3, 2021. The Individual/Entity has violated the South Carolina Infectious Waste Management Act and the South Carolina Infectious Waste Management Regulation as follows: failed to segregate infectious waste at the point of generation; failed to properly manage infectious waste; failed to offer infectious waste for offsite transport only to a registered transporter; failed to package infectious waste in accordance with the regulations; failed to place, store, and maintain all other types of infectious waste during transport in rigid or semirigid leak-resistant containers; failed to use containers that had sufficient strength to prevent bursting and tearing; failed to contain infectious waste in containers that were appropriate for storage, transportation, and treatment processes; failed to properly label containers of infectious waste; failed to treat infectious waste prior to disposal; and failed to report to the Department within twenty-four (24) hours and investigate and confirm all suspected releases of infectious waste.

Action: The Individual/Entity has corrected the violations. The Department has assessed a total civil penalty in the amount of fourteen thousand, four hundred dollars (\$14,400.00). The Individual/Entity shall pay a civil penalty of fourteen thousand, four hundred dollars (**\$14,400.00**) by April 22, 2022.

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

Mining Enforcement

- 20) Order Type and Number: Consent Order 22-01-MSWM
Order Date: March 1, 2021
Individual/Entity: **Kimberly Sheffield Lankford**
Facility: Sheffield Mine
Location: Fisher Road
Hampton County, SC
Mailing Address: 1462 Sidneys Road
Walterboro, SC 29488
County: Hampton
Previous Orders: None

Permit/ID Number: GP1-002342
Violations Cited: South Carolina Mining Act (2008 & Supp. 2015), the Mining Regulation, Section 20 (Supp. 2012) (Regulation), 340(B) and 210.

Summary: Kimberly Sheffield Lankford (Individual/Entity), owns and operates a mine in Hampton County, South Carolina. On November 4, 2021, the Department conducted an inspection in response to a complaint. The Individual/Entity has violated the South Carolina Mining Act and the Mining Regulation as follows: failed to obtain a permit from the Department prior to engaging in mining activities.

Action: The Individual/Entity has corrected the violations. 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 civil penalty in the amount of one thousand dollars (\$1,000.00) was submitted to the Department on February 22, 2022. The Order is closed.

BUREAU OF WATER

Drinking Water Enforcement

21) Order Type and Number: Consent Order 22-008-DW
Order Date: March 1, 2022
Individual/Entity: **City of Anderson**
Facility: Electric City Utilities
Location: Anderson, SC 29625
Mailing Address: 314 Tribble Street
Anderson, SC 29625
County: Anderson
Previous Orders: None
Permit/ID Number: 0410012
Violations Cited: S.C. Code Ann. Regs. 61-58.17.K(1)

Summary: The City of Anderson (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Anderson County, South Carolina. On January 11, 2022, a violation was issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the PWS tested present for total coliform and E. coli, which resulted in a violation of the maximum contaminant level for E. coli.

Action: The Individual/Entity is required to: submit an investigative report and a corrective action plan with a schedule to address the causes of the total coliform and E. coli present results at the PWS by March 31, 2022. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

Update: The Individual/Entity submitted a corrective action plan that was approved by the Department.

22) Order Type and Number: Consent Order 22-009-DW
Order Date: March 1, 2022
Individual/Entity: **Town of West Pelzer**
Facility: Town of West Pelzer
Location: 30 Main Street
West Pelzer, SC 29669
Mailing Address: Same
County: Anderson
Previous Orders: None
Permit/ID Number: 0410009
Violations Cited: S.C. Code Ann. Regs. 61-58.7

Summary: The Town of West Pelzer (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Anderson County, South Carolina. The Department conducted an inspection on December 17, 2021, and the PWS was rated unsatisfactory for failure to properly operate and maintain. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the storage tank had not been inspected as required; there was a well that was no longer in service that had not been properly abandoned or converted to an irrigation well; fire flow records were not provided for Department review; and a procedures manual with monitoring records, programs, and inspection logs was not provided for Department review.

Action: The Individual/Entity is required to: convert the well that is no longer in service to an irrigation well and implement a standard operating procedure that ensures adequate staff are available to operate and maintain the PWS and manage the water programs by July 1, 2022; conduct an inspection of the vent screens, hatches, and other openings on the storage tank and submit to the Department a copy of the reports by July 1, 2022; complete an assessment to identify the location and condition of all of the PWS's valves and submit to the Department for review and approval a written valve maintenance program by December 1, 2022; flow test all of the fire hydrants located within the Town of West Pelzer's service area and submit the test reports to the Department for review and approval by December 1, 2022; and repair or replace any valves and hydrants documented as inadequate or inoperable within one hundred twenty days of the Department's approval of the reports. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

Update: None.

23) Order Type and Number: Consent Order 22-010-DW
Order Date: March 10, 2022
Individual/Entity: **Christine Fields & Robert C. Fields, Individually and d.b.a. Fields Purrysburg Road Water System**
Facility: Fields Purrysburg Road Water System
Location: 5977 Purrysburg Road

	Hardeeville, SC 29927
<u>Mailing Address:</u>	Same
<u>County:</u>	Jasper
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	2760019
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7 & 61-58.8.B

Summary: Christine Fields & Robert C. Fields, Individually and d.b.a. Fields Purrysburg Road Water System (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Jasper County, South Carolina. The Department conducted an inspection of the PWS on December 1, 2021, and it was rated unsatisfactory for failure to properly operate and maintain, and failure to provide an emergency preparedness plan. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the well did not have a vent, concrete pad, sample tap, blow-off, or lockable well house; the sanitary seal was rusted and open at the juncture of the two halves; the storage tank was not secured with a fence that could be locked; the storage tank did not have a proper pressure gauge; a procedures manual with the associated programs and logs was not provided for Department review; an emergency preparedness plan was not provided for Department review; and the well serving the system was not permitted for public supply.

Action: The Individual/Entity is required to: submit a corrective action plan with a schedule of completion to resolve the unpermitted source of water by April 9, 2022; and within fifteen days of completion of the approved corrective action plan submit a written request for the intended use of the unpermitted well. The Department has assessed a total civil penalty in the amount of eight thousand dollars (\$8,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of eight thousand dollars (**\$8,000.00**) should any requirement of the Order not be met.

Update: The Individual/Entity submitted a corrective action plan that was approved by the Department.

24)	<u>Order Type and Number:</u>	Consent Order 22-011-DW
	<u>Order Date:</u>	March 21, 2022
	<u>Individual/Entity:</u>	City of Abbeville
	<u>Facility:</u>	City of Abbeville
	<u>Location:</u>	406 Vienna Street Abbeville, SC 29620
	<u>Mailing Address:</u>	P.O. Box 40 Abbeville, SC 29620
	<u>County:</u>	Abbeville
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	0110001
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7.C(1); 61-58.7.E(1)

Summary: The City of Abbeville (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Abbeville County, South Carolina. On January 25, 2022, a Notice of Alleged Violation/Notice of Enforcement Conference was issued as a result of review of the December 2021 monthly operation report for the PWS. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: failed to provide a treatment operator of the

appropriate grade to be present and responsible for the surface water treatment plant when the plant was producing water for public consumption; and failed to provide a distribution operator of the appropriate grade.

Action: The Individual/Entity is required to: submit a standard operating procedure for providing operators of the appropriate grade as required by April 21, 2022. The Department has assessed a total civil penalty in the amount of six thousand, seven hundred eighty dollars (\$6,780.00). The Individual/Entity shall pay a civil penalty in the amount of six thousand, seven hundred eighty dollars (**\$6,780.00**) by April 21, 2022.

Update: The civil penalty has been paid. The Individual/Entity submitted a standard operating procedure that was approved and implemented.

25) <u>Order Type and Number:</u>	Consent Order 22-012-DW
<u>Order Date:</u>	March 21, 2022
<u>Individual/Entity:</u>	Clarendon Hospital District
<u>Facility:</u>	Pocatalico River Health and Rehab
<u>Location:</u>	326 South Mill Street Manning, SC 29201
<u>Mailing Address:</u>	P.O. Box 57 Manning, SC 29201
<u>County:</u>	Clarendon
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	34126-WS
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.1.K(1)

Summary: Clarendon Hospital District (Individual/Entity) owns and is responsible for obtaining from the Department written approval to operate a drinking water distribution system located in Clarendon County, South Carolina. On February 11, 2022, a Notice of Alleged Violation/Notice of Enforcement Conference was issued as a result of review of Department records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: failed to obtain written approval to operate from the Department prior to placing a drinking water distribution system into operation.

Action: The Individual/Entity has corrected the violations. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**) by April 21, 2022.

Update: The civil penalty has been paid. On February 16, 2022, the Individual/Entity submitted the required documentation and the Department issued written approval to operate the drinking water distribution system.

26) <u>Order Type and Number:</u>	Consent Order 22-013-DW
<u>Order Date:</u>	March 21, 2022
<u>Individual/Entity:</u>	Janice Chaney, Individually and d.b.a. Colonial Drive
<u>Facility:</u>	Colonial Drive
<u>Location:</u>	106 Colonial Drive West Columbia, SC 29172
<u>Mailing Address:</u>	442 Shumpert Road

Gaston, SC 29053

County:

Lexington

Previous Orders:

None

Permit/ID Number:

3250106

Violations Cited:

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

Summary: Janice Chaney, Individually and d.b.a. Colonial Drive (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Lexington County, South Carolina. The Department conducted an inspection on November 17, 2021, and the PWS was rated unsatisfactory for failure to properly operate and maintain. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: there were items stored around the well house that were potential sources of contamination; the wellhead was exposed to the elements; the inside of the well house was dirty; the insulation was in disrepair; the sanitary seal was rusted; the well did not have a concrete pad, screened air vent, sample tap, check valve, or blow-off; the well house was not locked; there was exposed electrical wiring; the outside of the storage tank was dirty; there were openings at the base of the well enclosure; and the well serving the system was not permitted for public supply.

Action: The Individual/Entity is required to submit a corrective action plan and schedule of implementation to resolve the unpermitted source of water by April 21, 2022; and within fifteen days of completion of the approved corrective action plan submit a written request for the intended use of the unpermitted well. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has contacted a professional well drilling company to help assess the options.

27) Order Type and Number: Consent Order 22-014-DW
Order Date: March 24, 2022
Individual/Entity: **Town of Lincolnville**
Facility: Town of Lincolnville
Location: 141 West Broad Street
Lincolnville, SC 29485
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit/ID Number: 1010007
Violations Cited: S.C. Code Ann. Regs. 61-58. 17.H(2) & 61-58.13.C(3)(a)(i)

Summary: The Town of Lincolnville (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Charleston County, South Carolina. On January 26, 2022, and February 18, 2022, a violation was issued as a result of review of Department records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: failure to conduct routine monthly monitoring for total coliforms, and failure to measure the residual disinfection level in the distribution system at the same point in the distribution system and at the same time as total coliforms are sampled.

Action: The Individual/Entity is required to: immediately implement routine monthly monitoring of the PWS for total coliforms and residual disinfection levels; and submit a standard operating procedure that will be followed to ensure that all monitoring and reporting requirements are complied with by April 23, 2022. The Department has assessed a total civil penalty in the amount of eight thousand three hundred sixty dollars (\$8,360.00). The Individual/Entity shall pay a civil penalty in the amount of eight thousand three hundred sixty dollars (**\$8,360.00**) by April 23, 2022.

Update: The Individual/Entity has implemented the required monitoring, and the civil penalty has been paid.

Water Pollution Enforcement

28) Order Type and Number: Consent Order 22-015-W
Order Date: March 1, 2022
Individual/Entity: **Horry Land Services, LLC**
Facility: Horry Land Services LLC/Mill Swamp Mine
Location: Little River, SC 29568
Mailing Address: 1390 Hwy 57 S
Little River, SC 29566
County: Horry
Previous Orders: None
Permit/ID Number: SCG731461
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110 (d) (2008 & Supp. 2019) and Water Pollution Control Permits Regulation, S.C. Code Ann Regs. 61-9.122.41(a) (2011), and NPDES SCG0731461

Summary: Horry Land Services (Individual/Entity) owns and is responsible for the proper operation and maintenance of its mine dewatering facility (MDWF) in Horry County, South Carolina. On December 15, 2021, a Notice of Alleged Violation (NOAV) was issued as a result of a failure to monitor discharge and submit discharge monitoring reports to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to monitor discharge and submit DMRs as specified in its National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Individual/Entity is required to: submit written notification by March 31, 2022, detailing how the Individual/Entity will ensure proper sampling and reporting in the future. The Department has assessed a total civil penalty in the amount of five thousand one hundred dollars (\$5,100.00). The Individual/Entity shall pay a civil penalty in the amount of five thousand one hundred dollars (**\$5,100.00**) by March 31, 2022.

Update: None

29) Order Type and Number: Consent Order 22-016-W
Order Date: March 1, 2022
Individual/Entity: **Harbor Island Utilities, Inc.**
Facility: Harbor Island Utilities WWTF

Location: 2 Harbor Drive
Harbor Island, SC
Mailing Address: 31 Sora Rail Road
Kiawah Island, SC 29455
County: Beaufort
Previous Orders: None
Permit/ID Number: ND0088013
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d), Water Pollution Control Permits Regulation, S.C. Code Ann Regs. 61-9.122.41(a), and Part III. A of Permit ND0088013

Summary: Harbor Island Utilities, Inc. (Individual/Entity) owns and is responsible for a wastewater treatment facility (WWTF) located in Beaufort County, South Carolina. On November 18, 2021, a Notice of Alleged Violation (NOAV) was issued as a result of biochemical oxygen demand (BOD) violations reported 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 BOD.

Action: The Individual/Entity is required to: submit written notification of the completion date of corrective actions to resolve the effluent violations by May 1, 2022; and demonstrate a six-monitoring event compliance confirmation period. The Department has assessed a total civil penalty in the amount of three thousand, five hundred dollars (\$3,500.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, five hundred dollars (**\$3,500.00**) by April 1, 2022.

Update: The Individual/Entity has submitted payment of the assessed penalty.

30) Order Type and Number: Consent Order 22-017-W
Order Date: March 7, 2022
Individual/Entity: **City of Cayce**
Facility: Cayce WWTF
Location: Cayce, SC 29033
Mailing Address: 1800 12th Street Cayce, SC 29033
County: Lexington
Previous Orders: None
Permit/ID Number: SC0024147
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110 (d) (2008 & Supp. 2019) and Water Pollution Control Permits Regulation, S.C. Code Ann Regs. 61-9.122.41(a) (2011), and NPDES SC0024147

Summary: The City of Cayce (Individual/Entity) owns and is responsible for the proper operation and maintenance of its wastewater treatment facility in Lexington County, South Carolina. On August 30, 2021, a Notice of Alleged Violation (NOAV) was issued as a result of Escherichia coli (E. coli) violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to comply with limitations of NPDES Permit SC0024147 for E.coli.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the violations by April 7, 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 three thousand five hundred dollars (\$3,500.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand five hundred dollars (**\$3,500.00**) by April 7, 2022.

Update: The Individual/Entity has submitted payment of the assessed penalty and notification of the corrective action completion date. This Order has been closed.

31) Order Type and Number: Consent Order 22-018-W
 Order Date: March 10, 2022
 Individual/Entity: **Scenic Lake Park**
 Facility: Scenic Lake Park WWTF
 Location: Intersection of Hillside Drive and
 Ridgewood Drive,
 Rembert, SC 29128

 Mailing Address: 4915 Ridgewood Drive,
 Rembert, SC 29128

 County: Sumter
 Previous Orders: None
 Permit/ID Number: SC0031895
 Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-
 1-110(d), Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.21(d),
 and National Pollutant Discharge Elimination System (NPDES) Permit
 SC0031895.

Summary: Scenic Lake Park (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Sumter County, South Carolina. On February 2, 2022, a Notice of Alleged Violation (NOAV) was issued for failure to reapply for permit coverage within one hundred eighty (180) days before the existing permit expires. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to submit an application for renewal of the NPDES Permit at least one hundred eighty (180) days before the existing permit expires.

Action: The Individual/Entity is required to: continue operating the WWTF in accordance with the most recent NPDES permit until a new permit becomes effective. The Department has assessed a total civil penalty in the amount of seven hundred dollars (\$700.00). The Individual/Entity shall pay in two installments a civil penalty in the amount of seven hundred dollars (**\$700.00**) by April 9, 2022 and June 8, 2022.

Update: The Individual/Entity has paid one installment in the amount of three hundred fifty dollars (\$350.00) as of March 10, 2022.

32) Order Type and Number: Consent Order 22-019-W
 Order Date: March 21, 2022
 Individual/Entity: **Federal Pacific Electric Company**
 Facility: Federal Pacific Electric Co. Odell Dam
 Location: Edgefield, SC 29824
 Mailing Address: 450 Montbrook Lane Knoxville, TN 37919
 County: Edgefield

Previous Orders: None
Permit/ID Number: SC0047813
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110 (d) (2008 & Supp. 2019) and Water Pollution Control Permits Regulation, S.C. Code Ann Regs. 61-9.122.41(a) (2011), and NPDES SC0024147

Summary: Federal Pacific Electric Company (Individual/Entity) owns and is responsible for the proper operation and maintenance of its groundwater treatment system in Edgefield County, South Carolina. On September 21, 2021, a Notice of Alleged Violation (NOAV) was issued as a result of Trichloroethene (TCE) violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to comply with limitations of NPDES Permit SC0047813 for TCE.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the violations by April 21, 2022; conduct a six (6) monitoring event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the GTS should additional violations be observed during the compliance confirmation period. 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 April 21, 2022.

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

33) Order Type and Number: Consent Order 22-020-W
Order Date: March 21, 2022
Individual/Entity: **Town of Williston**
Facility: Rosemary Creek WWTF
Location: 706 Lake Drive
Williston, SC 29853
Mailing Address: P.O. Box 414
Williston, SC 29853
County: Barnwell
Previous Orders: None
Permit/ID Number: ND0063061
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d), Water Pollution Control Permits Regulation, S.C. Code Ann Regs. 61-9.122.41(e), and Part II.E. of Permit ND0063061

Summary: Town of Williston (Individual/Entity) owns and is responsible for the Rosemary Creek WWTF located in Barnwell County, South Carolina. On January 6, 2022, a Notice of Alleged Violation (NOAV) was issued as a result of unsatisfactory ratings during compliance evaluation inspections (CEIs) conducted by the Department in June 2021 and August 2021. The Individual/Entity has violated the Pollution Control Act and the Water Pollution Control Permits Regulation, as follows: failed to properly operate and maintain in good working order and operate as efficiently as possible all facilities and systems of treatment and control.

Action: The Individual/Entity is required to: submit notarized documentation that it has finalized a plan for securing funding for necessary improvements of the WWTF by April 21, 2022; submit a preliminary engineering report (PER) detailing necessary corrective actions and upgrades by May 21, 2022; submit proper documents for a Permit to Construct for necessary upgrades within ninety (90) days following Department approval of the PER; and complete all construction activities associated with the WWTF to attain compliance within one hundred eighty (180) days following issuance of a construction permit. 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**) by April 21, 2022.

Update: The Individual/Entity has submitted notice of the corrective action completion date and paid the assessed civil penalty.

34) Order Type and Number: Consent Order 22-021-W
Order Date: March 28, 2022
Individual/Entity: **Town of New Ellenton**
Facility: Town of New Ellenton WWTF
Location: 5344 White Pond Road
New Ellenton, SC 29809
Mailing Address: P.O. Box 459
New Ellenton, SC 29809
County: Aiken
Previous Orders: None
Permit/ID Number: SC0068454
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110 (d) (2008 & Supp. 2021); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41 (a) (2011).

Summary: The Town of New Ellenton (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Aiken County, South Carolina. On August 18, 2021, a Notice of Unsatisfactory Inspection was issued as a result of an unsatisfactory Compliance Sampling Inspection (CSI) conducted by the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to maintain and operated the WWTF in accordance with State Land Application Discharge Permit ND0068454.

Action: The Individual/Entity is required to: submit a notarized document certifying all sprinkler heads at the designated spray field are operational by April 27, 2022; submit an Odor Abatement Plan that meets the requirements of the Permit by June 27, 2022; and submit a notarized document certifying that the liner in lagoon #2 of the WWTF has been replaced and is operating in accordance with Permit by December 31, 2023. 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 April 27, 2022.

Update: No updates to report.

BUREAU OF AIR QUALITY

35) Order Type and Number: Administrative Order 22-003-A
Order Date: March 1, 2022
Individual/Entity: **Mr. Rodney Brooks, Individually And d.b.a. Brooks Tree Service**
Facility: N/A
Location: 5420 Highway 9
Inman, SC 29349
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Code Ann. Regs. 61-62.2,
Prohibition of Open Burning

Summary: Mr. Rodney Brooks, Individually and d.b.a. Brooks Tree Service (Individual/Entity), is a resident of the property located in Spartanburg County, South Carolina. The Department conducted an open burning investigation on May 4, 2019, and April 29, 2021. The Individual/Entity violated South Carolina Air Pollution Control Regulations, as follows: burned materials other than those allowed by Section I of the regulations, specifically land clearing debris that did not originate on site and wooden power poles.

Action: The Individual/Entity is required to cease all open burning except in accordance with the open burning regulations. The Department has assessed a total civil penalty in the amount of six thousand dollars (\$6,000.00). The Individual/Entity shall pay a penalty in the amount of six thousand dollars (**\$6,000.00**) by March 31, 2022.

Update: None

36) Order Type and Number: Administrative Order 22-004-A
Order Date: March 1, 2022
Individual/Entity: **Wayne Ledbetter**
Facility: N/A
Location: 963 Tubbs Mountain Road
Ladson, SC 29456
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Code Ann. Regs. 61-62.2,
Prohibition of Open Burning

Summary: Wayne Ledbetter (Individual/Entity), is a resident of the property located in Greenville County, South Carolina. The Department conducted an open burning investigation on June 3, 2020, March 8, 2021, and April 7, 2021. The Individual/Entity violated South Carolina Air Pollution Control Regulations, as follows: burned materials other than those allowed by Section I of the regulation, specifically land clearing debris that did not originate onsite.

Action: The Individual/Entity is required to: cease all open burning except in accordance with the open burning regulations. The Department has assessed a total civil penalty in the amount of six thousand dollars (\$6,000.00). The Individual/Entity shall pay a penalty in the amount of six thousand dollars (**\$6,000.00**) by March 31, 2022.

Update: None

- 37) Order Type and Number: Administrative Order 22-007-A
Order Date: March 21, 2022
Individual/Entity: **Specialty Vermiculite, LLC**
Facility: Specialty Vermiculite, LLC
Location: 26383 Highway 221 North
Enoree, SC, 29335-6609
Mailing Address: Same
County: Laurens
Previous Orders: None
Permit/ID Number: 1520-0015
Violations Cited: S.C. Code Ann. Regs. 61-62.1, Section II,
Permit Requirements

Summary: Specialty Vermiculite, LLC (Individual/Entity), operates a vermiculite plant that recovers raw ore through mining and cleaning processes at its facility located in Laurens County, South Carolina. On January 15, 2020, the Department conducted an inspection. The Individual/Entity has violated South Carolina Air Pollution Control Regulations, as follows: failed to maintain documentation demonstrating the calibration dates for gauges associated with baghouses; failed to maintain records of baghouse pressure drop readings; failed to provide maintenance records for the baghouse cleaning systems, dust collection hoppers, and conveying systems from September 2018 to June 18, 2020; failed to ensure that all baghouses were in place and operational whenever processes controlled by it were operating; failed to maintain weekly operation and maintenance (O&M) records for the cyclones; failed to maintain documentation of weekly O&M checks and daily pressure drop for the scrubbers; failed to maintain records of daily dust inspections for the bin vent filters; failed to maintain documentation of monthly and 12-month rolling sums for particulate matter (PM), PM₁₀ and PM_{2.5}; failed to submit semiannual reports for operating range exceedances; and failed to submit an annual report of calculated values and twelve-month rolling sums for PM, PM₁₀, and PM_{2.5} emissions.

Action: The Individual/Entity is required to: comply with all terms and conditions of State Operating Permit 1520-0015 and to submit to the Department monthly and 12-month rolling sums for PM, PM₁₀ and PM_{2.5}, for the period of January 2020 to August 2021. The Department has assessed a total civil penalty in the amount of nine thousand dollars (\$9,000.00). The Individual/Entity shall pay a penalty in the amount of nine thousand dollars (**\$9,000.00**) by April 21, 2022.

Update: None

- 38) Order Type and Number: Consent Order 22-005-A
Order Date: March 8, 2022
Individual/Entity: **Georgia Pacific Wood Products LLC**
Facility: Prosperity Plywood Plant
Location: 600 Georgia Pacific Blvd.

Prosperity, SC 29127
Mailing Address: Same
County: Newberry
Previous Orders: None
Permit/ID Number: 1780-0008
Violations Cited: U.S. EPA Regulations at 40 CFR Part 60 and S.C. Code Ann. Regs 61-62.60 (Supp. 2022), *Standards of Performance for New Stationary Sources*, Subpart Db, *Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units*

Summary: Georgia Pacific (Individual/Entity), produces plywood from southern yellow pine logs at its facility located in Newberry County, South Carolina. The Individual/Entity conducted a Department-approved source test for particulate matter on April 27, 2021. The Individual/Entity has violated U.S. EPA and South Carolina Air Pollution Control Regulations, as follows: exceeded its particulate matter emission limit on the Boiler during a Department-approved source test.

Action: The Individual/Entity is required to: limit PM emissions on the Boiler to 0.10 lb/MMBtu. The Department has assessed a total civil penalty in the amount of six thousand dollars (\$6,000.00). The Individual/Entity shall pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**) by April 8, 2022.

Update: The civil penalty has been paid.

39) Order Type and Number: Consent Order 22-006-A
Order Date: March 21, 2022
Individual/Entity: **Vanessa Unabia**
Facility: Same
Location: 1356 East Georgia Road
Woodruff, SC 29388
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. Regs. 61-62.2 (2011 & Supp. 2021), *Prohibition of Open Burning*.

Summary: Vanessa Unabia (Individual/Entity), is a resident of property located in Spartanburg County, South Carolina. The Department conducted an open burning investigation on December 11, 2017, April 1, 2019, and April 28, 2020. The Individual/Entity has violated South Carolina Air Pollution Control Regulations, as follows: burned materials other than those allowed by Section I of the regulation, specifically household garbage.

Action: The Individual/Entity is required to: cease all open burning except as in accordance with the open burning regulations. The Department has assessed a total civil penalty in the amount of five hundred dollars (\$500.00). The Individual/Entity shall pay a penalty in the amount of five hundred dollars (**\$500.00**) by April 21, 2022.

Update: None

40) Order Type and Number: Consent Order 22-008-A
Order Date: March 31, 2022
Individual/Entity: **Plasman SC Inc.**
Facility: Same
Location: 1000 Robinson Road
Greer, SC 29651-6721
Mailing Address: Same
County: Spartanburg
Previous Orders: 21-009-A (\$7,500.00)
Permit/ID Number: 2060-0540
Violations Cited: S.C. Code Ann. Regs. 61-62.1, Section II,
Permit Requirements

Summary: Plasman SC Inc. (Individual/Entity), is a manufacturer of plastic automotive exterior parts located in Spartanburg County, South Carolina. On September 10, 2021, the Department conducted an inspection. The Individual/Entity has violated South Carolina Air Pollution Control Regulations, as follows: failed to document daily pressure drop readings on each scrubber during each shift of source operation; failed to document liquid flow readings on each scrubber during each shift of source operation; and failed to record temperature readings every 15 minutes while RTO-1 was in operation.

Action: The Individual/Entity is required to comply with all terms and conditions of State Operating Permit 2060-0540. The Department has assessed a total civil penalty in the amount of seven thousand five hundred dollars (\$7,500.00). The Individual/Entity shall pay a penalty in the amount of seven thousand five hundred dollars (**\$7,500.00**) by April 31, 2022.

Update: None

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

Food Safety Enforcement

41) Order Type and Number: Consent Order 22-08-FOOD
Order Date: March 2, 2022
Individual/Entity: **Fatz**
Facility: Fatz
Location: 179 East Corporate Center Drive
Clinton, SC 29325
Mailing Address: 1361 West Wade Hampton Boulevard
Suite F, Box 6
Greer, SC 29650
County: Laurens
Previous Orders: 21-19-FOOD (\$800.00)
Permit Number: 30-206-01552
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Fatz (Individual/Entity) operates a restaurant located in Laurens County, South Carolina. The Department conducted an inspection on January 6, 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 one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**) on or before April 2, 2022.

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

42) <u>Order Type and Number:</u>	Consent Order 22-02-FOOD
<u>Order Date:</u>	March 3, 2022
<u>Individual/Entity:</u>	Jean May Hong d.b.a. Asian Bistro
<u>Facility:</u>	Asian Bistro
<u>Location:</u>	906-3 Tiger Boulevard Clemson, SC 29631
<u>Mailing Address:</u>	1237 Highway 182 Fair Play, SC 29643
<u>County:</u>	Pickens
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	39-206-02213
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Jean May Hong, d.b.a. Asian Bistro, (Individual/Entity) operates a restaurant located in Pickens County, South Carolina. The Department conducted inspections on December 20, 2021, December 29, 2021, and January 7, 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.

43) <u>Order Type and Number:</u>	Consent Order 22-07-FOOD
<u>Order Date:</u>	March 8, 2022
<u>Individual/Entity:</u>	Sam's Club #6203 Bakery
<u>Facility:</u>	Sam's Club #6203 Bakery
<u>Location:</u>	350 Harbison Boulevard Columbia, SC 29212
<u>Mailing Address:</u>	702 S.W. 8 th Street Bentonville, AR 72716
<u>County:</u>	Lexington

Previous Orders: None
Permit Number: 32-206-02533
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Sam's Club #6203 Bakery (Individual/Entity) operates a bakery located in Lexington County, South Carolina. The Department conducted inspections on December 30, 2021, January 7, 2022, and January 14, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that the temperature of the fresh hot water sanitizing rinse as it enters the manifold, may not be more than 194 degrees in a mechanical operation, or less than 165 degrees for a stationary rack, single temperature machine; or less than 180 degrees for all other machines.

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.

44) Order Type and Number: Consent Order 21-29-FOOD
Order Date: March 10, 2022
Individual/Entity: **Cajun Operating Company d.b.a. Church's Chicken #823**
Facility: Church's Chicken #823
Location: 2001 Broad River Road
Columbia, SC 29210
Mailing Address: 980 Hammond Drive, Suite 1100
Atlanta, GA 30328
County: Richland
Previous Orders: 2019-206-03-030 (\$200.00);
2021-03-FOOD (\$500.00)
Permit Number: 40-206-08254
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Cajun Operating Company d.b.a. Church's Chicken #823 (Individual/Entity) operates a restaurant located in Richland County, South Carolina. The Department conducted inspections on July 23, 2021, August 2, 2021, August 12, 2021, November 5, 2021, November 15, 2021, November 23, 2021, December 3, 2021, and December 13, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that the handwashing sinks were accessible at all times; failed to ensure that equipment is maintained in a state of repair and condition that meets the regulation requirements; failed to keep food contact surfaces of cooking equipment and pans free of encrusted grease deposits and other soil accumulations and non-food contact surfaces clean and free of accumulation of dust, dirt, food residue, and other debris; 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 two thousand, five

hundred dollars (\$2,500.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, five hundred dollars (**\$2,500.00**).

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

45) Order Type and Number: Consent Order 21-36-FOOD
Order Date: March 10, 2022
Individual/Entity: **Bruce Gerald d.b.a. Bruce's Grill & Convenience**
Facility: Bruce's Grill & Convenience
Location: 6475 Highway 701 North
Conway, SC 29526
Mailing Address: Same
County: Horry
Previous Orders: N/A
Permit Number: 26-206-02220
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Bruce Gerald d.b.a Bruce's Grill & Convenience (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on November 8, 2021, November 17, 2021, November 23, 2021, and November 29, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to provide individual disposable towels at each hand washing sink or group of adjacent handwashing sinks, 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, failed to provide a test kit or other device that accurately measures the concentration of MG/L of sanitizing solutions, and failed to ensure that a handwashing sink was located to allow convenient use by employees, in food preparation, food dispensing, and warewashing areas; and in, or immediately adjacent to, toilet rooms.

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 hundred dollars (\$2,000.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand hundred dollars (**\$2,000.00**) on or before **April 10, 2022**.

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

46) Order Type and Number: Consent Order 22-11-FOOD
Order Date: March 10, 2022
Individual/Entity: **Nickolas Carpio d.b.a. Jade Hibachi**
Facility: Jade Hibachi
Location: 201 Graduate Road, Unit 107
Conway, SC 29526
Mailing Address: 104 Jessica Lakes Drive
Conway, SC 29526
County: Horry
Previous Orders: 2016-206-06-131 (\$1,200.00);

Permit Number: 2018-206-06-125 (\$2,000.00);
Violations Cited: 2019-206-06-044 (\$1,250.00);
2019-206-06-080 (\$1,250.00);
2019-206-06-091 (\$3,000.00)
26-206-10472
S.C. Code Ann. Regs. 61-25

Summary: Nickolas Carpio d.b.a Jade Hibachi (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on June 4, 2021, January 5, 2022, January 13, 2022, and January 24, 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; failed to ensure that during pauses in food preparation or dispensing, food preparation and dispensing utensils were stored in the food with their handles above the top of the food; failed to clean non-food contact surfaces at a frequency to preclude accumulation of soil residues; failed to ensure that nonfood-contact surfaces are free of unnecessary ledges, projections, and crevices, and designed and constructed to allow easy cleaning and to facilitate maintenance; 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 one thousand, seven hundred fifty dollars (\$1,750.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, seven hundred fifty dollars (**\$1,750.00**) by April 10, 2022.

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

47) Order Type and Number: Consent Order 22-16-FOOD
Order Date: March 18, 2022
Individual/Entity: **Kiss Café**
Facility: Kiss Café
Location: 1802 Crowne Commons Way
Johns Island, SC 29455
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit Number: 10-206-12077
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Kiss Café (Individual/Entity) operates a restaurant located in Charleston County, South Carolina. The Department conducted inspections on January 21, 2022, January 28, 2022, and February 4, 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 five hundred fifty

dollars (\$550.00). The Individual/Entity shall pay a civil penalty in the amount of five hundred fifty dollars (**\$550.00**) by April 18, 2022.

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

48) Order Type and Number: Consent Order 22-19-FOOD
Order Date: March 18, 2022
Individual/Entity: **Saigon Café Restaurant**
Facility: Saigon Café Restaurant
Location: 1943 A Mr. Joe White Avenue
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-13706
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Saigon Café Restaurant (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted an inspection on February 18, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: 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 five hundred dollars (\$500.00). The Individual/Entity shall pay a civil penalty in the amount of five hundred dollars (**\$500.00**) by April 18, 2022.

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

49) Order Type and Number: Consent Order 22-13-FOOD
Order Date: March 24, 2022
Individual/Entity: **Asian Buffet**
Facility: Asian Buffet
Location: 364 Market Street
Seneca, SC 29678
Mailing Address: Same
County: Oconee
Previous Orders: None
Permit Number: 37-206-01280
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Asian Buffet (Individual/Entity) operates a restaurant located in Oconee County, South Carolina. The Department conducted inspections on January 13, 2022, January 20, 2022, and January 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.

50) Order Type and Number: Consent Order 22-15-FOOD
Order Date: March 24, 2022
Individual/Entity: **Circle K #2705133**
Facility: Circle K #2705133
Location: 2600 Sunset Boulevard
West Columbia, SC 29169
Mailing Address: 2550 West Tyvola Road
Charlotte, NC 28217
County: Lexington
Previous Orders: None
Permit Number: 32-206-07175
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Circle K #2705133 (Individual/Entity) operates a convenience store located in Lexington County, South Carolina. The Department conducted inspections on January 11, 2022, January 24, 2022, and February 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.

51) Order Type and Number: Consent Order 22-13-FOOD
Order Date: March 31, 2022
Individual/Entity: **Twin Peaks Columbia**
Facility: Twin Peaks Columbia
Location: 600 Gervais Street
Columbia, SC 29201
Mailing Address: 3365 Piedmont Road, NE, Suite 1050
Atlanta, GA 30305
County: Richland
Previous Orders: None
Permit Number: 40-206-07536
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Twin Peaks Columbia (Individual/Entity) operates a restaurant located in Richland County, South Carolina. The Department conducted inspections on January 4, 2022, January 13, 2022, and January 20, 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.

On-Site Wastewater Enforcement

52) <u>Order Type and Number:</u>	Administrative Order 22-007-OSWW
<u>Order Date:</u>	March 3, 2022
<u>Individual/Entity:</u>	Salomon Colin
<u>Facility:</u>	Salomon Colin
<u>Location:</u>	751 Lacey Lane Seneca, SC 29672
<u>Mailing Address:</u>	Same
<u>County:</u>	Oconee
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Salomon Colin (Individual/Entity) owns property located in Oconee County, South Carolina. The Department conducted an investigation on September 23, 2021 and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

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

Update: On April 22, 2022, the Department has made a final attempt to contact the Individual/Entity by an e-mail address since USPS records are not reflecting the current status of the Demand Letter. If the Department is unable to obtain corrective action on or before April 27, 2022, a referral will be made to OGC for a complaint to be filed in the Administrative Law Court.

53) Order Type and Number: Administrative Order 22-008-OSWW
Order Date: March 3, 2022
Individual/Entity: **Christopher Turner**
Facility: Christopher Turner
Location: 346 Stewart Gin Road
Liberty, SC 29657
Mailing Address: Same
County: Pickens
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Christopher Turner (Individual/Entity) owns property located in Pickens County, South Carolina. The Department conducted an investigation on January 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 personnel have confirmed with the licensed OSWW contractor that repairs will be completed on or before May 1, 2022.

54) Order Type and Number: Consent Order 22-011-OSWW
Order Date: March 23, 2022
Individual/Entity: **Don Foster, d.b.a. Don Foster's Construction and Asphalt Paving Co., Inc.**
Facility: Don Foster, d.b.a. Don Foster's Construction and Asphalt Paving Co., Inc.
Location: 377 Vernon Foster Road
Union, SC 29379
Mailing Address: Same
County: Union
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Don Foster, d.b.a. Don Foster's Construction and Asphalt Paving Co., Inc. (Individual/Entity) installed OSWW systems at two properties located in Union County, South Carolina. The Department conducted review of documents on November 22, 2021 and determined that the drainlines for both installations had an elevation

differential of greater than two inches throughout the trench and that the second installation was installed using an alternate product that was not allowed per the permit. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that all systems for which the licensee is responsible are constructed, repaired, and cleaned in accordance with S.C. Regulation 61-56 and permits issued by the Department; and failed to ensure the elevation differential in the drainfield trenches was not greater than two inches.

Action: The Individual/Entity is required to cease and desist installing OSWW systems outside the requirements of the permit and cease and desist installing OSWW systems where the elevation differential in the drainfield trenches is greater than two inches. 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 and paid the civil penalty. 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.