

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
September 9, 2021

_____ ACTION/DECISION

X INFORMATION

1. **TITLE:** Administrative and Consent Orders issued by the Office of Environmental Affairs.
2. **SUBJECT:** Administrative and Consent Orders issued by the Office of Environmental Affairs during the period July 1, 2021, through July 31, 2021.
3. **FACTS:** For the reporting period of July 1, 2021, through July 31, 2021, the Office of Environmental Affairs issued twenty-two (22) Consent Orders with total assessed civil penalties in the amount of sixty thousand, four hundred eighty-five dollars (\$60,485.00). Also, sixteen (16) Administrative Orders with total assessed civil penalties in the amount of one hundred six thousand, four hundred twenty-six dollars (\$106,426.00) were reported during this period.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land and Waste Management				
UST Program	4	\$41,240.00	2	\$2,000.00
Aboveground Tanks	0	0	0	0
Solid Waste	0	0	1	\$6,000.00
Hazardous Waste	1	\$60,686.00	2	\$15,750.00
Infectious Waste	0	0	0	0
Mining	0	0	0	0
SUBTOTAL	5	\$101,926.00	5	\$23,750.00
Water				
Recreational Water	0	0	9	\$5,735.00
Drinking Water	0	0	3	\$14,100.00
Water Pollution	1	0	3	\$14,900.00
Dam Safety	0	0	0	0
SUBTOTAL	1	0	15	\$34,735.00
Air Quality				
SUBTOTAL	0	0	0	0
Environmental Health Services				
Food Safety	0	0	0	0
Onsite Wastewater	9	\$500.00	2	\$2,000.00
SUBTOTAL	9	\$500.00	2	\$2,000.00
OCRM				
SUBTOTAL	1	\$4,000.00	0	0
TOTAL	16	\$106,426.00	22	\$60,485.00

Submitted by:

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

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
September 9, 2021**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 21-0096-UST
 Order Date: June 30, 2021
 Individual/Entity: **Shreenath Sai 2, LLC**
 Facility: Quick Stop
 Location: 7673 Kershaw Camden Highway
 Kershaw, SC 29067-1100
 Mailing Address: SAME
 County: Lancaster
 Previous Orders: None
 Permit/ID Number: 14024
 Violations Cited: The State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-
 2-140(A) 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), 280.70(c),
 280.242(b)(3), 280.242(b)(4), and 280.243(a) (2012 & Supp 2019).

Summary: Shreenath Sai 2, LLC (Individual/Entity) owns and operates underground storage tanks (USTs) in Lancaster County, South Carolina. On January 21, 2021, the Department conducted an inspection and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to maintain and operate a corrosion protection system on a temporarily closed UST system; failed to inspect an impressed current system every sixty (60) days; failed to validate that monthly requirements have been performed; failed to physically visit each assigned facility once a quarter; failed to provide records to the Department upon request; and failed to obtain supplemental Class A/B Operator training by May 26, 2020.

Action: The Individual/Entity is required to: submit either proof of a repaired and/or replaced cathodic protection system, current passing cathodic protection system test results, proof that an impressed current log is being maintained, proof that a Class A/B operator log is being maintained, and proof that all Class A/B operators have completed supplemental training by August 30, 2021 or submit a completed UST Tank and Sludge Disposal Form for the permanent closure of all USTs at the Facility by August 30, 2021; and if the Tank and Sludge Form is submitted, within sixty (60) days of the Department's approval of the UST Tank and Sludge Disposal Form, permanently close the USTs at the

Facility and submit a UST Closure and Assessment Report to the Department. The Department has assessed a total civil penalty in the amount of four thousand, two hundred dollars (\$4,200.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, two hundred dollars (**\$4,200.00**) by August 30, 2021.

Update: The Individual/Entity did not file a Request for Review; therefore, the effective date of the Order is July 15, 2021.

2) Order Type and Number: Administrative Order 21-0252-UST
Order Date: June 30, 2021
Individual/Entity: **Rafat Abudayya**
Facility: Hot Zone Mart
Location: 401 Lockemy Highway
Dillon, SC 29536
Mailing Address: SAME
County: Dillon
Previous Orders: None
Permit/ID Number: 10297
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-140(A) et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.30(a), 280.31(a), 280.34(c), 280.36(a)(1)(ii), 280.40(a), 280.40(a)(2), 280.43(d), 280.45(b)(1), 280.50, 280.52, 280.243(c), and 280.245 (2012 & Supp 2019).

Summary: Rafat Abudayya (Individual/Entity) owns and operates underground storage tanks in Dillon County, South Carolina. On November 11, 2020, the Department conducted an inspection and issued a Notice of Alleged Violation (NOAV). On April 15, 2021, the Department issued a NOAV based on failing release detection operability, overfill prevention operability, spill bucket integrity, and cathodic protection system test results. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to maintain and operate a corrosion protection system; failed to ensure that releases due to spilling or overfilling do not occur; failed to report a suspected release; failed to investigate and confirm a suspected release within a reasonable amount of time; failed to properly maintain release detection equipment; failed to conduct proper release detection using automatic tank gauge; failed to provide records to the Department upon request; failed to conduct annual walk-through inspection; failed to train Class C operators before they assume responsibility for the UST Facility; and failure to designate in writing a list of Class C operators and keep a copy at the Facility.

Action: The Individual/Entity is required to: submit proof the cathodic protection system has been repaired and a passing follow-up test result by August 30, 2021. If the cathodic protection system is repaired and passing follow-up test results are submitted, then within forty-five (45) days of those results: submit proof of repaired and/or replaced spill

buckets for the regular #1, premium, and kerosene USTs and passing follow-up spill bucket integrity test results; submit site check results for the spill buckets for the regular #1, premium, and kerosene USTs; submit proof of repaired and/or replaced overfill prevention equipment for all USTs and passing follow-up test results; submit proof of repaired and/or replaced release detection operability test results for all USTs and passing follow-up test results; submit passing tank tightness test results for the regular #2 and the premium USTs and current passing automatic tank gauge results as proof of valid release detection method; submit a list of Class C operators trained and designated for the Facility; and submit proof that a walk-through inspection log is being maintained or submit a completed UST Tank and Sludge Disposal Form (D-2233) for the permanent closure of all USTs at the Facility by August 30, 2021, and then, within sixty (60) days of the Department's approval of the UST Tank and Sludge Disposal Form, permanently close the USTs at the Facility and submit a UST Closure and Assessment Report to the Department. The Department has assessed a total civil penalty in the amount of sixteen thousand, three hundred sixty-five dollars (\$16,365.00). The Individual/Entity shall pay a civil penalty in the amount of sixteen thousand, three hundred sixty-five dollars (**\$16,365.00**) by August 30, 2021.

Update: The Individual/Entity did not file a Request for Review; therefore, the effective date of the Order is July 15, 2021.

- 3) Order Type and Number: Administrative Order 21-0208-UST
 Order Date: July 13, 2021
 Individual/Entity: **Mohammad Akeel Kashmiri**
 Facility: 3 Sons
 Location: 1758 Highway 1 North
 Cassatt, SC 29032
 Mailing Address: 1758-A Highway 1 North
 Cassatt, SC 29032

 County: Kershaw
 Previous Orders: None
 Permit/ID Number: 05377
 Violations Cited: The State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act), and South Carolina
 Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92,
 280.21(c), 280.31(b)(1), and 280.70(c) (2012 and Supp. 2019).

Summary: Mohammad Akeel Kashmiri (Individual/Entity) is the owner of an underground storage tank (UST) located in Kershaw County, South Carolina. On September 17, 2020, the Department conducted a file review and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to protect an operating UST system from corrosion; failed to have the cathodic protection system inspected by a qualified tester every three years; and failed to permanently close a UST system that has been temporarily out of service for greater than twelve (12) months and does not meet current corrosion protection standards.

Action: The Individual/Entity is required to submit: either a completed Tank and Sludge Disposal form for the permanent closure of the USTs at the Facility or proof that UST metal integrity testing has been initiated; If the Department receives a completed Tank and Sludge Disposal form, permanently close the UST within forty-five (45) days of the Department's approval of the Tank and Sludge Disposal form; and within sixty days after the USTs have been permanently closed, submit an UST Closure and Assessment Report. The Department has assessed a total civil penalty in the amount of seven thousand, seven hundred dollars (\$7,700.00). The Individual/Entity shall pay a civil penalty in the amount of seven thousand, seven hundred dollars (**\$7,700.00**) by September 11, 2021.

Update: None

- 4) Order Type and Number: Administrative Order 21-0262-UST
Order Date: July 13, 2021
Individual/Entity: **Ankur Patel**
Facility: Little Mountain Corner Mart
Location: 2810 Highway 29 South
Anderson, SC 29624
Mailing Address: Post Office Box 4
Piedmont, SC 29673
County: Anderson
Previous Orders: AO 20-0172-UST (\$4,575.00)
Permit/ID Number: 15582
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-140(A) et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.21(a), 280.31(b), 280.34(c), 280.36(a)(1)(i), 280.36(a)(1)(ii), 280.70(a), 280.70(c), 280.242(b)(3), and 280.243(a) (2012 & Supp 2019).

Summary: Ankur Patel (Individual/Entity) owns and operates underground storage tanks (USTs) located in Anderson County, South Carolina. The Department issued Administrative Order 20-172-UST on March 26, 2021. The Department issued a Notice of Alleged Violation on April 12, 2021, based on a file review. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to permanently close an UST system which does not meet the new UST system performance standards in Section 280.20; failed to have corrosion protection system tested by a certified tester at least once every three (3) years; failed to provide records to the Department upon request; failed to conduct monthly walk-through inspections; failed to conduct annual walk-through inspections; failed to continue operation and maintenance of corrosion protection on a temporarily closed UST system in accordance with Section 280.31; failed to properly abandon a temporarily closed system after twelve (12) months; failed to validate that monthly requirements have been performed; and failed to physically visit each facility once a quarter.

Action: The Individual/Entity is required to either submit: either passing metal integrity testing results, passing tank tightness test results, and passing cathodic protection system test results or a completed UST Tank and Sludge Disposal Form for the permanent closure of all USTs at the Facility and, within sixty (60) days of the Department's approval of the UST Tank and Sludge Disposal form, permanently closed the USTs at the Facility and submit an UST Closure and Assessment Report to the Department by September 12, 2021. If there are passing results for the metal integrity tests, tank tightness tests, and cathodic protection tests, the Individual/Entity is required to submit: proof that a Class A/B Operator log is being maintained; proof that a Walkthrough log is being maintained; and proof that Class C Operators have been trained and designated for the Facility. The Department has assessed a total civil penalty in the amount of twelve thousand, nine hundred seventy-five dollars (\$12,975.00). The Individual/Entity shall pay a civil penalty in the amount of twelve thousand, nine hundred seventy-five dollars (**\$12,975.00**) by September 12, 2021.

Update: The Individual/Entity did not file a Request for Review; therefore, the effective date of the Order is July 29, 2021.

5) Order Type and Number: Consent Order 21-0297-UST
 Order Date: July 16, 2021
 Individual/Entity: **Norway Gas and Auto Sales, LLC**
 Facility: Norway Gas and Auto Sales, LLC
 Location: 8423 Savannah Highway
 Norway, SC 29113
 Mailing Address: SAME
 County: Orangeburg
 Previous Orders: None
 Permit/ID Number: 06966
 Violations Cited: The State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act), and South Carolina
 Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92,
 280.41(b)(2)(i) (2012 and Supp. 2019).

Summary: Norway Gas and Auto Sales, LLC (Individual/Entity) is the owner of underground storage tanks (USTs) located in Orangeburg County, South Carolina. On June 7, 2021, the Department conducted a routine UST compliance inspection. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to equip pressurized line with automatic line leak detector.

Action: The Individual/Entity corrected all violations prior to the issuance of the Order. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**) by July 15, 2021.

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

- 6) Order Type and Number: Consent Order 21-0319-UST
Order Date: July 28, 2021
Individual/Entity: **R L Jordan Oil Company of North Carolina, Inc.**
Facility: Hot Spot 4004
Location: 2801 Gentry Memorial Highway
Pickens, SC 29671
Mailing Address: P.O. Box 2527
Spartanburg, SC 29304
County: Pickens
Previous Orders: None.
Permit/ID Number: 12157
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, 280.20(c)(1)(ii) (2012 & Supp 2019).

Summary: R L Jordan Oil Company of North Carolina, Inc. (Individual/Entity) owns and operates underground storage tanks in Pickens County, South Carolina. The Department conducted an inspection on June 16, 2021 and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to maintain overfill prevention equipment.

Action: The Individual/Entity corrected all violations prior to issuance of the Order. 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 September 11, 2021.

Update: The civil penalty has been paid and this Order has been closed.

Solid Waste Enforcement

- 7) Order Type and Number: Consent Order 21-03-SW
Order Date: July 28, 2021
Individual/Entity: **IMR Properties, LLC**
Facility: IMR Recycling
Location: 2186 Chesnee Highway
Spartanburg, SC
Mailing Address: Post Office Box 161802

County: Boiling Springs, SC 29316
Previous Orders: Spartanburg
Permit/ID Number: None
Violations Cited: N/A
Pollution Control Act, S.C. Code Ann. § 48-1-10, et seq. (2008 & Supp. 2016) (Act).

Summary: IMR Properties, LLC (Individual/Entity), owns property located in Spartanburg, South Carolina. Based on a complaint, the Department conducted an inspection on March 5, 2020. The Individual/Entity has violated the Pollution Control Act as follows: failed to obtain a Department issued permit prior to directly or indirectly, discharging organic or inorganic matter into the environment.

Action: The Individual/Entity has corrected all violations prior to the issuance of the Order. The Department 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 September 11, 2021.

Update: None.

Hazardous Waste Enforcement

8) Order Type and Number: Administrative Order 21-02-HW
Order Date: June 11, 2021
Individual/Entity: **Greenwood Rental Center, LLC**
Facility: Greenwood Rental Center, LLC
Location: 1902 Edgefield Street, Building #5,
Greenwood, SC 29646
Mailing Address: 250 Magnolia Street
Spartanburg, SC 29306
/ P.O. Box 137
Greenwood, SC 29648
County: Greenwood
Previous Orders: N/A
Permit/ID Number: SCR 000 772 335
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018), and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2019).

Summary: Greenwood Rental Center, LLC (Individual/Entity) is a property management company that manages and owns properties that are rented or leased to tenants located in Greenwood County, South Carolina. The Department conducted an inspection at a facility owned and managed by the Individual/Entity on October 13, 2020. The

Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: stored discarded materials which were abandoned; failed to determine if a solid waste was a hazardous waste; failed to transfer hazardous waste from containers in poor condition to containers that were in good condition; failed to close containers during accumulation, except when adding and removing hazardous waste; failed to inspect the hazardous waste central accumulation areas weekly for leaking containers and for deterioration of containers caused by corrosion; failed to mark or label its containers with the words "Hazardous Waste," an indication of the hazards of the contents, and the date upon which each period of accumulation began; failed to receive an extension from the Department granting hazardous waste to remain onsite for longer than ninety (90) days; failed to have a Contingency Plan for the facility; failed to submit a copy of the Contingency Plan to local emergency responders; failed to maintain and operate the facility to minimize the possibility of any unplanned sudden or non-sudden release of hazardous waste; and failed to equip the facility with the equipment necessary to prepare for and respond to emergencies.

Action: The Individual/Entity is required to: follow the Sampling and Analysis Plan (SAP) that was approved by the Department; label all containers of waste that have been determined to be hazardous by August 9, 2021; characterize and properly manage containers that are open, leaking, and in poor condition by August 24, 2021; begin the process of shipping both hazardous and solid wastes offsite for proper disposal starting August 24, 2021 and each successive shipment shall be within ninety (90) days of the previous shipment; submit analytical results, waste profiles, manifests, photographs, and disposal receipts to demonstrate compliance; submit a SAP to investigate, evaluate, and sample any potentially contaminated soil by November 9, 2021; within fifteen (15) days of receipt of any written comments or deficiencies from the Department's review of the SAP, revise and resubmit for further review; submit a Remediation Plan contingent upon soil sampling results; respond to the Department's written and e-mail correspondences within three (3) business days; and notify the Department in writing at least five (5) business days before a scheduled date, or within seventy-two (72) hours after an occurrence which causes or may cause a delay in meeting any scheduled deadlines. The Department assessed a total civil penalty in the amount of sixty thousand, six hundred eighty-six dollars (\$60,686.00). The Individual/Entity shall pay a civil penalty in the amount of sixty thousand, six hundred eighty-six dollars (**\$60,686.00**).

Update: The Individual/Entity did not file a Request for Review; therefore, the effective date of the Order is July 9, 2021. This Order has been referred to Office of General Counsel for further enforcement action.

9)	<u>Order Type and Number:</u>	Consent Order 21-03-HW
	<u>Order Date:</u>	July 16, 2021
	<u>Individual/Entity:</u>	Hubbell Power Systems, Inc.
	<u>Facility:</u>	Hubbell Power Systems, Inc.
	<u>Location:</u>	1850 Richland Avenue East Aiken, SC 29801

Mailing Address: SAME
County: Aiken
Previous Orders: None
Permit/ID Number: SCD 054 202 080
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018), and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2018).

Summary: Hubbell Power Systems, Inc. (Individual/Entity), specializes in rubber molding, fiberglass rod pultrusion, mechanical crimping, tensile testing, and high voltage testing at its facility located in Aiken County, South Carolina. The Department conducted an inspection on April 15, 2021. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to ensure that containers holding hazardous waste must be closed at all times during the accumulation, except: when adding, removing, or consolidating waste; failed to mark or label its containers with an indication of the hazards of the contents; failed to have a permit under these regulations for the “transportation,” “treatment,” “storage,” or “disposal” of any “hazardous waste” as identified or listed in 261; failed to demonstrate the length of time that the universal waste had been accumulated from the date it became a waste or was received; and failed to ensure that each lamp or a container or package in which such lamps are contained is labeled or marked clearly with one of the following phrases: “Universal Waste – Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s).”

Action: The Individual/Entity corrected all violations prior to the issuance of the Order. The Department assessed a total civil penalty in the amount of three thousand, seven hundred fifty dollars (\$3,750.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, seven hundred fifty dollars (**\$3,750.00**) by August 18, 2021.

Update: None.

10) Order Type and Number: Consent Order 21-04-HW
Order Date: July 28, 2021
Individual/Entity: **Adornus Manufacturing, LLC**
Facility: Adornus Manufacturing, LLC
Location: 1551 Highway 9 Bypass West
Lancaster, SC 29720
Mailing Address: SAME
County: Lancaster
Previous Orders: N/A
Permit/ID Number: SCD 000 648 493
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018), and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2020).

Summary: Adornus Manufacturing, LLC (Individual/Entity) is a manufacturer and a distributor of frameless kitchen cabinets and bathroom vanities located in Lancaster County, South Carolina. The Department conducted an inspection at a facility on February 26, 2021. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to label closed containers of solvent-contaminated wipes with the words “Excluded Solvent-Contaminated Wipes”; failed to maintain a description of the process used to ensure solvent-contaminated wipes contain no free liquids; failed to determine if a solid waste was a hazardous waste; accumulated hazardous waste in excess of 55 gallons at or near the point of generation; failed to transfer hazardous waste from containers in poor condition to containers that were in good condition; failed to close containers during accumulation, except when adding and removing hazardous waste; failed to mark or label its containers with the words “Hazardous Waste,” an indication of the hazards of the contents, and the date upon which each period of accumulation began; failed to receive an extension from the Department granting hazardous waste to remain onsite for longer than ninety (90) days; failed to prepare and submit Quarterly Reports to the Department as required by the instructions included with the form; failed to maintain the job title for each position related to hazardous waste management at the facility and the name of the employee filling that position; failed to maintain a written description of the type and amount of both introductory and continuing training given to each person filling a position related to hazardous waste management; failed to equip the facility with an internal communication system and spill control equipment; failed to attempt to make arrangements with local emergency responders and maintain documentation documenting those arrangements; failed to describe and/or include the following in the facility’s Contingency Plan: actions personnel must take during an emergency situation, arrangements agreed to with local emergency responders, list of all emergency equipment, and an evacuation plan for the facility; failed to maintain lamps in a manner to prevent a release and to keep such containers closed; failed to label or mark clearly each container of universal lamps; and failed to demonstrate the length of time universal waste had been accumulated from the date it became a waste.

Action: The Individual/Entity corrected all violations prior to the issuance of the Order. The Department has assessed a total civil penalty in the amount of twelve thousand dollars (\$12,000.00). The Individual/Entity shall pay a civil penalty in the amount of twelve thousand dollars (**\$12,000.00**) in installments beginning August 15, 2021.

Update: The Individual/Entity submitted documentation between May 12, 2021 and June 16, 2021 that included Safety Data Sheets, photographs, job positions, job descriptions, solvent-contaminated wipes process, and a copy of the Contingency Plan as evidence of the corrective actions taken to correct the violations noted during the inspection.

BUREAU OF WATER

Recreational Waters Enforcement

- 11) Order Type and Number: Consent Order 21-017-RW
Order Date: July 2, 2021
Individual/Entity: **Wildewood Community Partners Group, Inc.**
Facility: The Wildewood Club
Location: 99 Mallet Hill Road
Columbia, SC 29223
Mailing Address: SAME
County: Richland
Previous Orders: 21-013-RW; \$300.00
Permit/ID Number: 40-1200C
Violations Cited: S.C. Code Ann. Regs. 61-51.B.7

Summary: Wildewood Community Partners Group, Inc. (Individual/Entity) owns and is responsible for obtaining from the Department written approval to operate prior to operating a newly constructed pool located in Richland County, South Carolina. The Department issued a Notice of Alleged Violation/Notice of Enforcement Conference on June 8, 2021, as a result of review of Department records. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to obtain written approval to operate from the Department prior to the operation of a pool.

Action: The Individual/Entity is required to: complete construction of the pool in accordance with the permit issued by the Department and obtain Department approval to operate the pool by August 2, 2021. The Department has assessed a total civil penalty in the amount of one thousand, four hundred dollars (\$1,400.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, four hundred dollars (**\$1,400.00**) by August 2, 2021.

Update: Written approval to operate the pool has been issued by the Department and the civil penalty has been paid.

- 12) Order Type and Number: Consent Order 21-018-RW
Order Date: July 12, 2021
Individual/Entity: **Raldex IV, Inc.**
Facility: Hampton Inn & Suites
Location: 1735 Stokes Road
Florence, SC 29501
Mailing Address: SAME
County: Florence

Previous Orders: None
Permit/ID Number: 21-1019B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Raldex IV, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Florence County, South Carolina. The Department conducted inspections on June 2, 2021, and June 24, 2021, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the water level was too low; the skimmers were missing weirs; the chlorine level was not within the acceptable range of water quality standards; and the bound and numbered logbook was not maintained a minimum of three times per week by the pool operator of record.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by July 28, 2021.

Update: The civil penalty has been paid.

13) Order Type and Number: Consent Order 21-019-RW
Order Date: July 26, 2021
Individual/Entity: **Tidemaster Owners Association, Inc.**
Facility: Tidemaster Condominiums
Location: 517 South Ocean Boulevard
Myrtle Beach, SC 29577
Mailing Address: P.O. Box 148
Newton, NC 29658
County: Horry
Previous Orders: None
Permit/ID Number: 26-G71-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Tidemaster Owners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a kiddie pool located in Horry County, South Carolina. The Department conducted inspections on May 26, 2021, and June 30, 2021, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the chlorine and pH levels were not within the acceptable range of water quality standards; and the bound and numbered logbook was not maintained on a daily basis.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by August 15, 2021.

Update: The civil penalty payment has been paid.

- 14) Order Type and Number: Consent Order 21-020-RW
Order Date: July 27, 2021
Individual/Entity: **MTR Hotels, LLC**
Facility: Days Inn
Location: 60 Roper Mountain Road
Greenville, SC 29611
Mailing Address: 109 Destination Boulevard
Anderson, SC 29621
County: Greenville
Previous Orders: None
Permit/ID Number: 23-348-1
Violations Cited: S.C. Code Ann. Regs. 61-51(K)(1)(c)

Summary: MTR Hotels, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Greenville County, South Carolina. The Department conducted an inspection on June 29, 2021, and July 2, 2021, and it was determined that the Department's yellow "No Swimming Allowed – Do Not Remove" sign had been removed and re-posted following the June 29, 2021 inspection. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pool was operated prior to receiving Department approval.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of two hundred fifty-five dollars (\$255.00). The Individual/Entity shall pay a civil penalty in the amount of two hundred fifty-five dollars (\$255.00) by August 17, 2021.

Update: The civil penalty payment has been paid.

- 15) Order Type and Number: Consent Order 21-021-RW
Order Date: July 27, 2021
Individual/Entity: **Grande Shores Council of Co-Owners, Inc.**
Facility: Grande Shores Ocean Resort
Location: 201 77th Avenue N
Myrtle Beach, SC 29572
Mailing Address: Post Office Box 7706
Myrtle Beach, SC 29572
County: Horry
Previous Orders: None
Permit/ID Number: 26-R58-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Grande Shores Council of Co-Owners, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a spa located in Horry County, South Carolina. The Department conducted inspections on May 26, 2021, and June 30, 2021, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the chlorine and pH levels were not within the acceptable range of water quality standards.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by August 16, 2021.

Update: The civil penalty has been paid.

16) <u>Order Type and Number:</u>	Consent Order 21-022-RW
<u>Order Date:</u>	July 28, 2021
<u>Individual/Entity:</u>	South Aiken Fitness, Inc.
<u>Facility:</u>	Gold's Gym Aiken
<u>Location:</u>	101 Corporate Parkway Aiken, SC 29803
<u>Mailing Address:</u>	SAME
<u>County:</u>	Aiken
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	02-1014B
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: South Aiken Fitness, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Aiken County, South Carolina. The Department conducted inspections on June 4, 2021, and July 2, 2021, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: skimmers were missing weirs; the chlorine level was not within the acceptable range of water quality standards; the current pool operator of record information was not posted to the public; the facility could not produce current valid documentation of pool operator certification; and the bound and numbered logbook was not maintained on a daily basis.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by August 9, 2021.

Update: The civil penalty payment has been paid.

- 17) Order Type and Number: Consent Order 21-023-RW
Order Date: July 30, 2021
Individual/Entity: **Rosen Sea, LLC**
Facility: Ocean Breeze Hotel
Location: 2010 South Ocean Boulevard
Myrtle Beach, SC 29577
Mailing Address: SAME
County: Horry
Previous Orders: None
Permit/ID Number: 26-233-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Rosen Sea, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Horry County, South Carolina. The Department conducted inspections on June 21, 2021, and July 12, 2021, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the lifeline floats were not properly spaced; a ladder was not tight and secure; there was debris in the skimmer baskets; the pool floor was not clean; the drinking water fountain was not operating properly; the equipment room was not locked; the chlorine level was not within the acceptable range of water quality standards; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; and the bound and numbered log book was not maintained on a daily basis.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by August 15, 2021.

Update: The civil penalty payment has been paid.

- 18) Order Type and Number: Consent Order 21-024-RW
Order Date: July 30, 2021
Individual/Entity: **Canvasback Lake Association, Inc.**
Facility: Canvasback Lake
Location: 305 North Hillside Drive
North Myrtle Beach, SC 29582
Mailing Address: 3081 Deville Street
Myrtle Beach, SC 29577
County: Horry
Previous Orders: None
Permit/ID Number: 26-D19-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Canvasback Lake Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Horry County,

South Carolina. The Department conducted inspections on May 24, 2021, and June 23, 2021, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: there was debris in the skimmer baskets; the life ring was deteriorated; the “Shallow Water – No Diving Allowed” and “No Lifeguard On Duty – Swim At Your Own Risk” signs did not have the correct sized lettering; the bound and numbered log book was not maintained on a daily basis; a skimmer was missing a weir; and the chlorine level was not within the acceptable range of water quality standards.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by August 19, 2021.

Update: The civil penalty has been paid.

19) <u>Order Type and Number:</u>	Consent Order 21-028-RW
<u>Order Date:</u>	July 30, 2021
<u>Individual/Entity:</u>	Aekta Motels, LLC
<u>Facility:</u>	Red Roof Inn
<u>Location:</u>	810 Radford Boulevard Dillon, SC 29536
<u>Mailing Address:</u>	SAME
<u>County:</u>	Dillon
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	17-020-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51.J.22

Summary: Aekta Motels, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Dillon County, South Carolina. The Department issued a Notice of Alleged Violation/Notice of Enforcement Conference on June 14, 2021, as a result of a review of inspection records. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to fill in or remove the pool, which has been permanently closed for a period in excess of twenty-four consecutive months.

Action: The Individual/Entity is required to: properly fill in the pool in accordance with the approved plan submitted to the Department and contact the Department to schedule an inspection to verify the completed work by September 1, 2021. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four hundred dollars (**\$400.00**) should any requirement of the Order not be met.

Update: The Individual/Entity submitted a plan to fill in the pool and the plan was approved by the Department.

Drinking Water Enforcement

20) Order Type and Number: Consent Order 21-032-DW
 Order Date: July 7, 2021
 Individual/Entity: **Hickory Springs Bottling, Inc.**
 Facility: Hickory Springs Water
 Location: 347 Old River Road
 Elloree, SC 29047
 Mailing Address: SAME
 County: Calhoun
 Previous Orders: None
 Permit/ID Number: 0973001 & 35041-WS
 Violations Cited: S.C. Code Ann. Regs. 61-58.1.B(1) & 61-58.1.K(1)

Summary: Hickory Springs Bottling, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Calhoun County, South Carolina. The Department issued a Notice of Alleged Violation/Notice of Enforcement Conference on May 20, 2021, as a result of review of inspection records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: failed to obtain a permit from the Department prior to modifying a PWS and failed to obtain written approval to operate from the Department prior to placing the modification into operation.

Action: The Individual/Entity is required to: submit documentation verifying operator certification by July 12, 2021; contact the Department to schedule an inspection to obtain written approval to operate the modification by August 6, 2021; and submit to the Department a standard operating procedure for obtaining permits and operational approvals by August 6, 2021. The Department has assessed a total civil penalty in the amount of eight thousand, five hundred dollars (\$8,500.00). The Individual/Entity shall pay a civil penalty in the amount of eight thousand, five hundred dollars (**\$8,500.00**) by August 6, 2021.

Update: The Individual/Entity has paid the penalty, submitted operator certification documentation, obtained a permit and written approval to operate from the Department, and submitted a standard operating procedure.

21) Order Type and Number: Consent Order 21-033-DW
 Order Date: July 14, 2021
 Individual/Entity: **Edgewater Acres Homeowners Association, Inc.**
 Facility: Edgewater Acres
 Location: 35 Riverfront Lane
 Simpsonville, SC 29681
 Mailing Address: SAME

County: Greenville
Previous Orders: None
Permit/ID Number: 2350024
Violations Cited: S.C. Code Ann. Regs. 61-58.7 & 61-58.8.B
& 61-58.7.D.2

Summary: Edgewater Acres Homeowners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Greenville County, South Carolina. The Department conducted an inspection of the PWS on March 22, 2021, and it was rated unsatisfactory for failure to properly operate and maintain, failure to provide an up-to-date emergency preparedness plan, and failure to provide an operator of the appropriate grade to visit the PWS as often as required. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: there were large openings on the casing vent screen; the sanitary seal and well casing were rusted; the piping brackets in the chemical feed room were not secured; the chlorine fill lines did not have an air gap separation; the centrifugal filter and one of the secondary bag filters was valved off; the drain valve was broken; the sample tap was threaded; there were no records of a current tank inspection; the outside of the hydro-pneumatic storage tank had areas with lichen; the chlorine readings recorded were not saved or stored; the electrical wiring on the sanitary seal and in electrical boxes was exposed; the insulation inside the well house was in disrepair and insulation was stored in the treatment building; a complete procedures manual with written programs and logs was not provided for Department review; an up-to-date emergency preparedness plan was not provided for Department review; and an operator of the appropriate grade was not provided as often as required.

Action: The Individual/Entity is required to: immediately provide a daily operator of the appropriate grade and remove the insulation stored in the treatment building; correct the deficiencies by September 30, 2021; have the hydro-pneumatic storage tank inspected by a professional tank servicing company by September 30, 2021; and complete the recommendations in the storage tank inspection report within ninety days of the date of the report. The Department has assessed a total civil penalty in the amount of twelve thousand, six hundred dollars (\$12,600.00). The Individual/Entity shall pay a civil penalty in the amount of five thousand, six hundred dollars (**\$5,600.00**) by September 30, 2021, and pay a stipulated penalty in the amount of seven thousand dollars (\$7,000.00) should any requirement of the Order not be met.

Update: None

22) Order Type and Number: Consent Order 21-034-DW
Order Date: July 27, 2021
Individual/Entity: **Rocky Creek Christian Retreat**
Facility: Rocky Creek Christian Retreat
Location: 1124 Walker Road
McCormick, SC 29835

Mailing Address: 336 Cobbleview Drive
Lexington, SC 29072
County: Edgefield
Previous Orders: None
Permit/ID Number: 1970675
Violations Cited: S.C. Code Ann. Regs. 61-58.17.K(1)

Summary: Rocky Creek Christian Retreat (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Edgefield County, South Carolina. On June 23, 2021, 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 a corrective action plan with a schedule to address the causes of the total coliform present results at the PWS by August 26, 2021. 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 which stated that the well casing was cracked, and they have decided to drill a new well.

Water Pollution Enforcement

23) Order Type and Number: Administrative Order 21-039-W
Order Date: July 29, 2021
Individual/Entity: **Mr. Kenneth Graham**
Facility: Green Acres Swine Farm and
Green Acres Dairy Farm
Location: 2374 Hughey Ferry Road
Pomaria, SC 29126
Mailing Address: SAME
County: Newberry
Previous Orders: 18-005-W (\$1,650.00)
Permit/ID Number: 5415 (Swine Farm)
9132 (Dairy Farm)
Violations Cited: Permitting of Agricultural Animal Facilities,
S.C. Code Ann. Regs. 61-43, Part 100.40.B and Part 200.40.B, and Environmental
Protection Fees, S.C. Code Ann. Regs. 61-30.C(2)(d)

Summary: Mr. Kenneth Graham (Individual/Entity) owns and is responsible for the proper operation and maintenance of swine and dairy farms located in Newberry County, South Carolina. The Individual/Entity failed to remit payment for annual operating

fees for both farming operations for Fiscal Years 2019, 2020, and 2021. The Individual/Entity has violated the Permitting of Agricultural Animal Facilities and Environmental Protection Fees as follows: failed to remit payment for annual operating fees for Fiscal Years 2019, 2020, and 2021.

Action: The Individual/Entity is required to: remit payment to the Department for annual operating fees due for both the Swine Farm and Dairy Farm for FY 2019, FY 2020 and FY 2021, totaling one thousand, two hundred, thirty-seven dollars and fifty cents (\$1,237.50).

Update: None.

24) Order Type and Number: Consent Order 21-036-W
Order Date: July 2, 2021
Individual/Entity: Town of Winnsboro
Facility: **Town of Winnsboro WWTF**
Location: off Highway 321 Bypass, Winnsboro
Fairfield County, SC
Mailing Address: Post Office Box 209
Winnsboro
County: Fairfield
Previous Orders: 19-074-W (\$3,400.00)
Permit/ID Number: SC0020215
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110 (d) (2008 & Supp. 2020); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41 (a) and (d) (2011).

Summary: The Town of Winnsboro (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Fairfield County, South Carolina. On September 23, 2020, a Notice of Violation was issued as a result of chronic effluent toxicity (CTOX) violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permit Regulations, as follows: failed to comply with the CTOX effluent limitations of its National Pollutant Discharge Elimination System Permit.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the violations by August 2, 2021; conduct a six (6) monitoring event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the facility as determined by a preliminary engineering report (PER) should additional violations be observed during the compliance confirmation period. 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 August 2, 2021.

Update: None.

- 25) Order Type and Number: Consent Order 21-037-W
Order Date: July 13, 2021
Individual/Entity: **Mr. Rafael Ochoa**
Facility: Peninsula Pointe Phase 2 Lot #20
Location: Lot 20 retreat Pointe Road
West Union, SC 29696
Mailing Address: 3307 Alcovy Club Court
Dacula, GA 30019
County: Oconee
Previous Orders: None
Permit/ID Number: SCR10W291
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-90 (a) (2008 & Supp. 2020); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41 (a) and (e) (2011).

Summary: Mr. Rafael Ochoa (Individual/Entity) is responsible for land disturbing activity in Oconee County, South Carolina. On October 1, 2020, a Warning Letter was issued as a result of land disturbing activities being initiated without proper permit coverage. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations, as follows: failed to acquire an individual lot construction permit and allowing sediment to enter waters of the State.

Action: The Individual/Entity is required to: submit a complete individual lot construction permit application by August 13, 2021; submit a report signed by a Professional Engineer stating the Site is in compliance with the approved Stormwater Pollution Prevention Plan within thirty (30) days of permit issuance; and submit a Notice of Termination (NOT) within thirty (30) days of completion of permanent stabilization of the Site. The Department has assessed a total civil penalty in the amount of five thousand six hundred dollars (\$5,600.00). The Individual/Entity shall pay a civil penalty in the amount of five thousand six hundred dollars (**\$5,600.00**) in four (4) equal installment payments.

Update: The Individual/Entity has paid the permit application fee but the Department has not received the plans for the individual lot construction permit.

- 26) Order Type and Number: Consent Order 21-038-W
Order Date: July 13, 2021
Individual/Entity: **American Materials Company, LLC**
Facility: Lynches River Quarry WWTF
Location: 3410 Highway 601
Jefferson, SC 29718
Mailing Address: 1410 Commonwealth Drive, Suite 201

Wilmington, NC 28403
County: Chesterfield
Previous Orders: N/A
Permit/ID Number: SC0048445
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 NPDES Permit SC0048445

Summary: American Materials Company, LLC (Individual/Entity) owns and is responsible for a wastewater treatment facility (WWTF) located in Chesterfield County, South Carolina. On February 8, 2021, a Notice of Violation was issued as a result of total suspended solids (TSS) 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 TSS effluent limitations of its National Pollutant Discharge Elimination System (NPDES) permit.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the violations by August 13, 2021; conduct a six (6) monitoring event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the facility as determined by a preliminary engineering report (PER) should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of six thousand, three hundred dollars (\$6,300.00). The Individual/Entity shall pay a civil penalty in the amount of six thousand, three hundred dollars (**\$6,300.00**) by August 13, 2021.

Update: None.

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

On-Site Wastewater Enforcement

27) Order Type and Number: Administrative Order 21-033-OSWW
Order Date: June 21, 2021
Individual/Entity: **National Commerce Logistics, LLC**
Facility: National Commerce Logistics, LLC
Location: 53 Jenkins Park
Clinton, SC 29325
Mailing Address: 145 North Church Street, #120
Spartanburg, SC 29306
County: Laurens
Previous Orders: None

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

Summary: National Commerce Logistics, LLC (Individual/Entity) owns property located in Laurens County, South Carolina. The Department conducted an investigation on May 5, 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 August 16, 2021, a referral was made to the Department's Office of General Counsel for a complaint to be filed in the Administrative Law Court.

28) Order Type and Number: Administrative Order 21-034-OSWW
Order Date: June 21, 2021
Individual/Entity: **Pine Cove MHP, LLC**
Facility: Pine Cove MHP, LLC
Location: 4920 Fox Tail Pine Drive
Conway, SC 29526
Mailing Address: Post Office Box 270
Murrells Inlet, SC 29576
County: Horry
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Pine Cove MHP, LLC (Individual/Entity) owns property located in Horry County, South Carolina. The Department conducted an investigation on April 5, 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: The Individual/Entity has submitted all requirements of the Order. This Order has been closed.

29) <u>Order Type and Number:</u>	Administrative Order 21-035-OSWW
<u>Order Date:</u>	June 21, 2021
<u>Individual/Entity:</u>	Jose Perez-Lopez and Leonor Sierra
<u>Facility:</u>	Jose Perez-Lopez and Leonor Sierra
<u>Location:</u>	215 Old Jones Road Duncan, SC 29334
<u>Mailing Address:</u>	123 West Fox Ridge Lyman, SC 29365
<u>County:</u>	Spartanburg
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Jose Perez-Lopez and Leonor Sierra (Individual/Entity) own property located in Spartanburg County, South Carolina. The Department conducted an investigation on February 10, 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: The Individual/Entity has submitted all requirements of the Order. This Order has been closed.

30)	<u>Order Type and Number:</u> <u>Order Date:</u> <u>Individual/Entity:</u> <u>Facility:</u> <u>Location:</u> <u>Mailing Address:</u> <u>County:</u> <u>Previous Orders:</u> <u>Permit Number:</u> <u>Violations Cited:</u>	Administrative Order 21-040-OSWW July 13, 2021 Deborah Blackwell Deborah Blackwell 338 Little Crowe Creek Road Pickens, SC 29671 SAME Pickens None None S.C. Code Ann. Regs. 61-56
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Summary: Deborah Blackwell (Individual/Entity) owns property located in Pickens County, South Carolina. The Department conducted an investigation on June 3, 2021, and observed domestic wastewater discharging into an unapproved wastewater system and to 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 install the permitted OSWW system within ten (10) 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 unpermitted 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 August 5, 2021, Department personnel spoke with the Individual/Entity who provided the name of a contractor, and Department personnel have confirmed with this contractor that the OSWW system will be installed. The contractor is having issues obtaining materials at this time. Department personnel has continued to follow-up and encourage the Individual/Entity to seek other contractors who might be able to get the Site in compliance sooner. The Individual/Entity has stated she will only use this one contractor.

31)	<u>Order Type and Number:</u> <u>Order Date:</u> <u>Individual/Entity:</u> <u>Facility:</u> <u>Location:</u> <u>Mailing Address:</u> <u>County:</u> <u>Previous Orders:</u> <u>Permit Number:</u>	Administrative Order 21-043-OSWW July 13, 2021 Richard Baird, Jr. Richard Baird, Jr. 374 Little Crowe Creek Road Pickens, SC 29671 SAME Pickens None None
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Violations Cited:

S.C. Code Ann. Regs. 61-56

Summary: Richard Baird, Jr. (Individual/Entity) owns property located in Pickens County, South Carolina. The Department conducted an investigation on June 3, 2021, and observed domestic wastewater discharging onto the surface of the ground as well as unapproved systems for domestic wastewater treatment. 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 install an OSWW system within ten (10) days of the permit to construct being issued 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 August 27, 2021, Department personnel spoke with the OSWW contractor who stated he had received all the materials to install the OSWW systems and has scheduled an install date of September 13, 2021.

32) <u>Order Type and Number:</u>	Administrative Order 21-032-OSWW
<u>Order Date:</u>	July 14, 2021
<u>Individual/Entity:</u>	Doug Hayes, dba DHG
<u>Facility:</u>	Doug Hayes, dba DHG
<u>Location:</u>	4105 Glenn Springs Road Pauline, SC 29374
<u>Mailing Address:</u>	20 Shady Acres Spartanburg, SC 29307
<u>County:</u>	Spartanburg
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Doug Hayes, dba DHG (Individual/Entity) holds a Department issued license to construct and repair OSWW systems. The Department conducted an investigation on November 30, 2021 and determined that the OSWW system was not installed as stated on the permit. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that the OSWW system for which he was responsible was installed according to the permit issued by the Department and installed an OSWW system outside the area specified on the permit.

Action: The Individual/Entity is required to cease and desist installing OSWW systems outside the specifications of the Department issued permit. 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 August 14, 2021.

Update: The Individual/Entity has submitted all requirements of the Order and paid the civil penalty. This Order has been closed.

33) Order Type and Number: Administrative Order 21-036-OSWW
Order Date: July 14, 2021
Individual/Entity: **Stephanie Stubbs**
Facility: Stephanie Stubbs
Location: 105 Valeview Circle
Marietta, SC 29661
Mailing Address: Same as Location
County: Greenville
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Stephanie Stubbs (Individual/Entity) owns property located in Greenville County, South Carolina. The Department spoke with the Individual/Entity on May 28, 2021 and determined that domestic wastewater was 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 August 30, 2021, a referral was made to the Department's Office of General Counsel for a complaint to be filed in the Administrative Law Court.

34) Order Type and Number: Administrative Order 21-037-OSWW
Order Date: July 14, 2021
Individual/Entity: **19 Polite Drive**
Facility: 19 Polite Drive
Location: 19 Polite Drive
Beaufort, SC 29902

Mailing Address: SAME
County: Beaufort
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: 19 Polite Drive (Individual/Entity) owns property located in Beaufort County, South Carolina. The Department conducted an investigation on April 6, 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 August 27, 2021, the Department issued a legal demand letter to the Individual/Entity via certified and first-class mail requiring compliance with the Administrative Order.

35) Order Type and Number: Administrative Order 21-041-OSWW
Order Date: July 14, 2021
Individual/Entity: **Evelyn King**
Facility: Evelyn King
Location: 124 Woodbine Trail
Easley, SC 29651
Mailing Address: 516 Brewington Road
Laurens, SC 29360
County: Pickens
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Evelyn King (Individual/Entity) owns property located in Pickens County, South Carolina. The Department conducted an investigation on April 14, 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: The Individual/Entity has submitted all requirements of the Order. This Order has been closed.

36) <u>Order Type and Number:</u>	Consent Order 21-038-OSWW
<u>Order Date:</u>	July 27, 2021
<u>Individual/Entity:</u>	Joey Oliver, dba Oliver Environmental Services
<u>Facility:</u>	Joey Oliver, dba Oliver Environmental Services
<u>Location:</u>	843 Eubanks Road Jefferson, SC 29718
<u>Mailing Address:</u>	P.O. Box 291 Ruby, SC 29741
<u>County:</u>	Chesterfield
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Joey Oliver, dba Oliver Environmental Services (Individual/Entity) installed an OSWW system at property located in Chesterfield County, South Carolina. The Department conducted an investigation on March 16, 2021 and determined that the drainlines of the OSWW system were installed deeper than allowed on the Department issued permit to construct. 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.

Action: The Individual/Entity is required to cease and desist failing 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. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of one thousand dollars (**\$1,000.00**) should any requirement of the Order not be met.

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

37) Order Type and Number: Consent Order 21-039-OSWW
Order Date: July 27, 2021
Individual/Entity: **Bobby Wayne Mishoe, individually and dba BM Plumbing**
Facility: Bobby Wayne Mishoe, individually and dba BM Plumbing
Location: 30 Kent Road
Georgetown, SC 29440
Mailing Address: 471 Highway 67 West
Loris, SC 29569
County: Georgetown
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Bobby Wayne Mishoe, individually and dba BM Plumbing (Individual/Entity) does not hold a Department issued license to pump OSWW systems. The Department conducted an investigation on June 3, 2021, and determined that a pump truck belonging to the Individual/Entity discharged domestic wastewater into a sewer pump station and onto the ground around the sewer pump station cap. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: they have engaged in the business of cleaning onsite sewage treatment systems without first applying for, receiving, and subsequently maintaining a valid license to conduct such activities, as required by the Department; and 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 cease and desist engaging in the business of cleaning onsite sewage treatment systems without applying for, receiving, and subsequently maintaining a valid license to conduct such activities, as required by the Department; and obtain an appropriate permit from the Department before discharging septic tank effluent, domestic wastewater, or sewage to the surface of the ground. 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 August 27, 2021.

Update: If payment is not received by September 1, 2021, Department personnel will issue a Demand Letter giving ten (10) days to pay the civil penalty before the case is referred to the Department's Office of General Counsel.

OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT

- 38) Order Type and Number: Administrative Order AF-0000342
 Order Date: June 2, 2021
 Individual/Entity: **Tezza Joint Revocable Trust**
 Location: 3209 Marshall Boulevard
 Sullivan’s Island, SC 29482
 Mailing Address: 565 N. Saint Marys Lane NW
 Marietta, GA 30064
 County: Charleston
 Previous Orders: None
 Permit/ID Number: N/A
 Violations Cited: S.C. Code Ann. §48-39-130(A) and S.C.
 Code Ann. Regs. 30-2(B); S.C. Code Ann. Regs. 30-13(N)(3)(c).

Summary: Peter and Lillian Tezza are trustees of the Tezza Joint Revocable Trust (Individual/Entity) and are the current owners of certain property located seaward of the setback line and abutting the Atlantic Ocean. An inspection was conducted on November 19, 2019 and Department staff observed that rock had been added to the existing revetment at the Site. A Notice of Alleged Violation/Admission Letter was issued on March 26, 2020. The Individual/Entity has violated the S.C. Coastal Zone Management Act (Act) and Coastal Division Regulations (Regulations) by altering the revetment at the Site without first submitting required documentation to the Department and enlarging and strengthening the revetment in the beaches and beach/dune system critical areas at the Site.

Action: The Individual/Entity is required to: submit a Corrective Action Plan (CAP) to the Department within 15 days of the effective date of the Order. This CAP is required to detail the steps that will need to be taken to return the revetment at the Site to a location and dimensions compliant with the Act and Regulations, and subsequently remedy the violations at the Site in accordance with the approved CAP. 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**) to be paid within thirty (30) days of the effective date of this Order.

Update: The Individual/Entity has provided notice to the Department of a Request for Contested Case filing with the Administrative Law Court.

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