

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
May 13, 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 March 1, 2021, through March 31, 2021.
3. **FACTS:** For the reporting period of March 1, 2021, through March 31, 2021, the Office of Environmental Affairs issued twenty-seven (27) Consent Orders with total assessed civil penalties in the amount of fifty-five thousand, three hundred ten dollars (\$55,310.00). Also, eighteen (17) Administrative Orders with total assessed civil penalties in the amount of twenty-five thousand, six hundred thirty dollars (\$25,630.00) were reported during this period.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land and Waste Management				
UST Program	5	\$18,105.00	4	\$10,000.00
Aboveground Tanks	0	0	0	0
Solid Waste	1	\$7,525.00	1	\$2,100.00
Hazardous Waste	0	0	0	0
Infectious Waste	0	0	0	0
Mining	0	0	2	\$3,000.00
SUBTOTAL	6	\$25,630.00	7	\$15,100.00
Water				
Recreational Water	0	0	4	\$2,360.00
Drinking Water	0	0	5	\$10,000.00
Water Pollution	0	0	7	\$20,150.00
Dam Safety	1	0	0	0
SUBTOTAL	1	0	16	\$32,510.00
Air Quality				
SUBTOTAL	0	0	1	\$4,000.00
Environmental Health Services				
Food Safety	0	0	2	\$2,200.00
Onsite Wastewater	10	0	1	\$1,500.00
SUBTOTAL	10	0	3	\$3,700.00
OCRM				
SUBTOTAL	0	0	0	0
TOTAL	17	\$25,630.00	27	\$55,310.00

Submitted by:

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

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
April 8, 2021**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 19-0257-UST
 Order Date: March 10, 2021
 Individual/Entity: **David Bilderback d.b.a. Carolina
Country Store**
 Facility: Carolina Country Store
 Location: 11725 South Fraser Street
 Georgetown, SC 29440
 Mailing Address: Same
 County: Georgetown
 Previous Orders: None
 Permit/ID Number: 19037
 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,
280.40(a)(2) and 280.43(d) (2012 and Supp. 2019).

Summary: David Bilderback d.b.a. Carolina Country Store (Individual/Entity) is the owner of an underground storage tank (UST) located in Georgetown County, South Carolina. On June 18, 2019, the Department conducted a compliance 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 properly maintain release detection equipment; and failed to conduct proper release detection using an automatic tank gauge.

Action: The Individual/Entity is required to submit proof that the automatic tank gauge probes have been repaired and/or replaced and are in proper working order. The Individual/Entity shall submit all compliance documentation by May 29, 2021. The Department has assessed a total civil penalty in the amount of three thousand, thirty dollars (\$3,030.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, thirty dollars (**\$3,030.00**) by May 29, 2021.

Updates: The Individual/Entity did not file a Request for Review.

- 2) Order Type and Number: Administrative Order 20-0216-UST
 Order Date: March 10, 2021
 Individual/Entity: **CD's Incorporated**
 Facility: CD's
 Location: 3271 Highway 9
 Cheraw, SC 29520
 Mailing Address: Same

County: Chesterfield
Previous Orders: None
Permit/ID Number: 10109
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. § 44-2-60(A) (2018).

Summary: CD's Incorporated (Individual/Entity) is the owner of underground storage tanks (USTs) located in Chesterfield County, South Carolina. On August 10, 2020, the Department issued a Notice of Alleged Violation due to unpaid annual tank registration fees for fiscal year 2021. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to pay annual underground storage tank registration fees.

Action: The Individual/Entity is required to pay annual tank registration fees and associated late fees for fiscal year 2021 in the amount of six hundred five dollars (\$605.00) by May 25, 2021. 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 May 25, 2021.

Updates: The Individual/Entity did not file a Request for Review.

3) Order Type and Number: Administrative Order 20-0029-UST
Order Date: March 25, 2021
Individual/Entity: **Naya, Inc.**
Facility: Speedee Mart
Location: 730 West Main Street
Clinton, SC 29325
Mailing Address: 717 Providence Road
Gaffney, SC 29341
County: Laurens
Previous Orders: None
Permit/ID Number: 14492
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, 280.40(a) (2012 and Supp. 2019).

Summary: Naya, Inc. (Individual/Entity) is the owner of underground storage tanks (USTs) located in Laurens County, South Carolina. On December 17, 2019, the Department conducted a compliance 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 provide an adequate release detection method.

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, five hundred dollars (\$1,500.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, five hundred dollars (**\$1,500.00**) by May 29, 2021.

Updates: The Individual/Entity submitted the required compliance documentation on January 15, 2021. The civil penalty has not been paid.

- 4) Order Type and Number: Administrative Order 20-0172-UST
Order Date: March 25, 2021
Individual/Entity: **Ankur Patel**
Facility: Little Mountain Corner Mart
Location: 2810 Highway 29 South
Anderson, SC 29624-6819
Mailing Address: P.O. Box 40
Piedmont, SC 29673-0040
County: Anderson
Previous Orders: None
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, 280.34(c), 280.36(a)(1)(i), 280.36(a)(1)(ii), 280.70(a), 280.242(b)(3), and 280.242(b)(4) (2012 & Supp 2019).

Summary: Ankur Patel (Individual/Entity) owns and operates underground storage tanks in Anderson County, South Carolina. The Department issued a Notice of Alleged Violation based on an inspection on July 14, 2020. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: 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 maintain corrosion protection on a temporarily closed UST; 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 submit: proof that a Class A/B Operator log is being maintained; proof that a walkthrough log is being maintained; proof that Class C Operators have been trained and designated for the Facility; and current acceptable cathodic protection test results by May 26, 2021. The Department has assessed a total civil penalty in the amount of four thousand, five hundred seventy-five dollars (\$4,575.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, five hundred seventy-five dollars (**\$4,575.00**) by May 26, 2021.

Updates: The Individual/Entity did not file a Request for Review.

- 5) Order Type and Number: Administrative Order 20-0182-UST
Order Date: March 25, 2021
Individual/Entity: **Beaufort Oil Co., Inc.**
Facility: Xpress Lane 5
Location: 1702 Sea Island Parkway
Saint Helena Island, SC 2929920
Mailing Address: 43 Old Jericho Road
Beaufort, SC 29906
County: Beaufort
Previous Orders: AO 19-0231-UST (\$7,700.00)

Permit/ID Number: 00985
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, 280.70(c) (2012 & Supp 2019).

Summary: Beaufort Oil Co., Inc. (Individual/Entity) owns and operates underground storage tanks in Beaufort County, South Carolina. The Department conducted file review and issued a Notice of Alleged Violation on July 9, 2020. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to properly abandon a temporarily closed UST system after twelve (12) months if the UST system does not meet either performance standards in Section 280.20 for new UST systems or the upgrading requirements in Section 280.21.

Action: The Individual/Entity is required to: submit a completed UST Tank and Sludge Disposal Form by May 26, 2021; and, within sixty (60) days of the Department's approval of the UST Tank and Sludge Disposal Form, permanently close the USTs and submit an UST Closure and Assessment Report. 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 26, 2021.

Updates: The Individual/Entity did not file a Request for Review.

6) Order Type and Number: Consent Order 20-0278-UST
Order Date: March 2, 2021
Individual/Entity: **Parmar Manharsinh**
Facility: Aniq, LLC
Location: 6058 Edmund Highway
Lexington, SC 29073
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: 19237
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, 280.10(d) (2012 & Supp 2019).

Summary: Parmar Manharsinh (Individual/Entity) owns and operates underground storage tanks in Lexington County, South Carolina. The Department conducted an inspection on October 30, 2020 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: introduced petroleum products to an UST system that was under Delivery Prohibition.

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 April 16, 2021.

Updates: The Individual/Entity has paid the civil penalty. This Order has been

closed.

- 7) Order Type and Number: Consent Order 21-0036-UST
Order Date: March 2, 2021
Individual/Entity: **Munisuvrat Inc.**
Facility: JK Food Mart
Location: 597 Ford Road
Gaffney, SC 29340
Mailing Address: 11229 Fountain Grove Drive
Charlotte, NC 28262
County: Cherokee
Previous Orders: N/A
Permit/ID Number: 09436
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., R.61-92 280.93(a) and 280.110(c) (2012 & Supp. 2018).

Summary: Munisuvrat Inc. (Individual/Entity) is the owner and operator of underground storage tanks located in Cherokee County, South Carolina. The Department conducted an inspection on November 30, 2020. 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 the violation prior to the issuance of the Order. The Department 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 16, 2021.

Updates: The Individual/Entity paid the civil penalty in full on February 22, 2021. This Order has been closed.

- 8) Order Type and Number: Consent Order 21-0033-UST
Order Date: March 10, 2021
Individual/Entity: **Prakash Patel**
Facility: Short Trip 5
Location: 2227 Sumter Highway
Manning, SC 29102
Mailing Address: 500 1st St West
Hampton, SC 29102
County: Clarendon
Previous Orders: None
Permit/ID Number: 12708
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. 2019).

Summary: Prakash Patel (Individual/Entity) owns underground storage tanks

(USTs) located in Clarendon County, South Carolina. Based on a January 15, 2021 inspection, the Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulation as follows: failed to maintain overflow prevention equipment.

Action: The Individual/Entity corrected the violation prior to the issuance of the Order. The Department assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity is required to pay a civil penalty in the amount of one thousand dollars (**\$1,000**) by April 15, 2021.

Updates: A tank gauging stick was removed from the drop tube shutoff valve of the 8,000-gallon regular unleaded UST on January 15, 2021. A demand letter was issued for payment of the civil penalty with a deadline of May 17, 2021.

9) Order Type and Number: Consent Order 21-0041-UST
Order Date: March 25, 2021
Individual/Entity: **Bahuchar Mata, LLC**
Facility: Quick Pantry 19
Location: 1802 South Main Street
Greenwood, SC 29646
Mailing Address: 311 Oakmonte Circle
Greenwood, SC 29649
County: Greenwood
Previous Orders: None
Permit/ID Number: 04785
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann., § 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92.280.34(c), 280.40(a), 280.40(a)(2), 280.43(d), 280.45(b)(1), 280.50, 280.51, 280.52 (2012 & Supp. 2019).

Summary: Bahuchar Mata, LLC (Individual/Entity) owns underground storage tanks (USTs) located in Greenwood, South Carolina. Based on an October 30, 2020 inspection, the Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulation as follows: failed to provide records upon request; failed to provide an adequate release detection method; failed to properly maintain release detection equipment; failed to conduct proper release detection using an automatic tank gauge; failed to maintain records for at least one (1) year; failed to report a suspected release; failed to determine if the underground storage tank is the source of off-site impacts; and failed to investigate and confirm a suspected release within a reasonable time.

Action: The Individual/Entity is required to: conduct a tank tightness test and submit a current passing ATG test for the 4000-gallon regular unleaded UST; install a groundwater sampling monitoring well between the 4000-gallon regular unleaded UST and the adjacent creek; and submit a groundwater sampling report by May 10, 2021. The Department assessed a civil penalty in the amount of seven thousand dollars (\$7,000.00). The Individual/Entity is required to pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**) by May 10, 2021.

Updates: The Individual/Entity submitted tank tightness test results on February 22, 2021 indicating failing results. The groundwater sampling report was received March 29,

2021.

Solid Waste Enforcement

- 10) Order Type and Number: Administrative Order 21-01-SW
Order Date: March 8, 2021
Individual/Entity: **Robert Fred Small**
Facility: N/A
Location: 101 Eagle Court
Union, SC 29379
Mailing Address: 1818 Jonesville Highway
Union, SC 29379
County: Union
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: Solid Waste Policy and Management Act of 1991, S.C. Code Ann. 44-96-10 et seq. (Rev. 2018 & Supp. 2019); Solid Waste Management: Solid Waste Landfills and Structural Fill Regulations, S.C. Code Ann., Regs 61-107.19, Part IV.A.3. and Part V Subpart A.258.1(c) (Supp. 2018)

Summary: Robert Fred Small (Individual/Entity), owns property in Union, South Carolina. Based on a complaint, inspections were conducted on September 10, 2020 and October 12, 2020. The Individual/Entity has violated the Solid Waste Policy and Management Act and the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulations as follows: failed to obtain a permit to operate a Class II and Class III Solid Waste Landfill from the Department before disposing of solid waste on the property.

Action: The Individual/Entity is required to: remove and dispose of the solid waste on the property at a permitted solid waste management at facility and provide disposal receipts to the Department. The Department has assessed a total civil penalty in the amount of seven thousand, five hundred twenty-five dollars (\$7,525.00). The Individual/Entity shall pay a civil penalty in the amount of seven thousand, five hundred twenty-five dollars (**\$7,525.00**).

Updates: The Individual/Entity did not file a Request for Review.

- 11) Order Type and Number: Consent Order 20-29-SW
Order Date: March 2, 2021
Individual/Entity: **City of Greer**
Facility: 115 Leesburg Peak, Property
Location: 115 Leesburg Peak
Greenville County, SC
Mailing Address: 301 East Poinsett Street
Greer, SC 29651
County: Greenville
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, S.C. Code Ann. §§ 44-96-290(A) (2018 & Supp.

2018) (Act) and the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, R.61-107.19, Part II.B.1. (2002 and Supp. 2016) (Regulation)

Summary: City of Greer (Individual/Entity), owns property located in Greenville, South Carolina. Based on a complaint, the Department conducted an inspection on June 5, 2020. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act and Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, as follows: failed to obtain a Department issued permit prior to engaging in structural fill activities.

Action: The Individual/Entity is required to: cease receipt and/or transport of solid waste debris onto the Site; complete closure activities to include, applying a two-foot thick final earth cover with a three-to-one (3:1) slope and seeding the finished surface area with native grasses or other suitable cover; record with the Register of Deeds a notation in the record of ownership of the property that will, in perpetuity, notify any potential purchaser of the property that the land, or a portion thereof, has been filled with solid waste debris; remove all loose solid waste material not compacted during closure activities from the Site, dispose of it at a permitted solid waste management facility, and submit disposal receipts to the Department. The Individual/Entity shall complete closure activities and removal of all loose solid waste material by August 29, 2021. The Department assessed a total civil penalty in the amount of two thousand, one hundred dollars (\$2,100.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, one hundred dollars (**\$2,100.00**) by April 16, 2021.

Updates: The civil penalty has been paid. The established due date for resolutions of violations is August 21, 2021.

Mining Enforcement

12) Order Type and Number: Consent Order 21-04-MSWM
Order Date: March 25, 2021
Individual/Entity: **A&A Structural fill**
Facility: A&A Mine
Location: 0.4 mile northwest of the junction of US Highway 378 (E. Myrtle Beach Highway) and SC Secondary Highway S-21-34 (S. Friendfield Road), and 0.4 mile west of the junction of S. Friendfield Road and SC Secondary Highway S-21-729 (Bass Road).
Mailing Address: 2002 Manderley Court
Charleston, SC 29414
County: Florence
Previous Orders: None
Permit/ID Number: I-002002
Violations Cited: The South Carolina Mining Act, S.C. code Ann. § 48-20-10 et seq. (2008 & Supp. 2018); South Carolina Mining Regulation (2012) R.89-280; and the Permit I-002002 Section IX.1.

Summary: A&A Structural Fill (Individual/Entity) owns and operates A&A Mine

in Florence County, South Carolina. Based on records review, the Department issued a Notice of Alleged Violation. The Individual/Entity violated the South Carolina Mining Act, the Mining Regulations, and the Permit, as follows: failed to submit the mining annual report and mining annual operating fees.

Action: The Individual/Entity is required to: submit the mining annual report; and pay mining annual operating fees and associated late fees in the amount of five hundred twenty-five dollars (\$525.00) by May 9, 2021. 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 May 24, 2021.

Updates: The Individual/Entity paid annual operating fees and associated late fees on March 11, 2021. The civil penalty has been paid in full and the enforcement case closed.

13) Order Type and Number: Consent Order 21-06-MSWM
Order Date: March 25, 2021
Individual/Entity: **P Mining Co., Inc.**
Facilities: Dewitt Mine/Coates Mine
Locations: Off Half Pine Road/Off Pint Circle
Longs, SC
Mailing Address: 1300 Highway 57 S
Little River, SC 29566
County: Horry
Previous Orders: None
Permit/ID Number: GP1-001952/GP1-001982
Violations Cited: The South Carolina Mining Act (Act) S.C. Code Ann., § 48-20-10 et seq. (2008 and 2018); and South Carolina Mining Regulations, 9 S.C. Code Ann., Regs. Sections 89.10 (2012), R.89.340(B); R-89.280; R.89. 210; R.89.80; and Permit GP1-001952, Section IX.1.

Summary: P Mining Co., Inc. (Individual/Entity) owns the Dewitt Mine and Coates Mine located in Horry County, South Carolina. Based on a file review, the Department issued a Notice of Alleged Violation. The Individual/Entity has violated the ACT, the South Carolina Mining Regulations, and the Permits as follows: failed to pay Annual Operating Fees for FY21 and failed to submit the Annual Reclamation Report for FY21.

Action: The Individual/Entity is required to pay Annual Operating Fees and associated late fees for FY21 and submit the Annual Reclamation Report. The Department assessed a 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**).

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

BUREAU OF WATER

Recreational Waters Enforcement

- 14) Order Type and Number: Consent Order 21-009-RW
Order Date: March 4, 2021
Individual/Entity: **Summer Knoll/Spring Knoll Homeowners Association, Inc.**
Facility: Summer Knoll
Location: 113 Arkhaven Court
Lexington, SC 29073
Mailing Address: P.O. Box 26844
Charlotte, SC 28221
County: Lexington
Previous Orders: None
Permit/ID Number: 32-1034C
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Summer Knoll/Spring Knoll Homeowners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a kiddie pool located in Lexington County, South Carolina. The Department conducted inspections on June 19, 2020, and August 4, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the foot rinse shower was not operating properly; the chlorine and pH levels were not within the acceptable range of water quality standards; the emergency notification device was not operational; the “No Lifeguard On Duty – Swim At Your Own Risk” signs did not have the correct wording; 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 March 24, 2021.

Updates: The Individual/Entity has paid the civil penalty. This Order has been closed.

- 15) Order Type and Number: Consent Order 21-010-RW
Order Date: March 9, 2021
Individual/Entity: **DR Horton, Inc.**
Facility: Cobblestone Park Amenity Center
Location: 297 Links Crossing Drive
Blythewood, SC 29016
Mailing Address: 1298 University Parkway
Blythewood, SC 29016
County: Richland
Previous Orders: None
Permit/ID Number: 40-1079C
Violations Cited: S.C. Code Ann. Regs. 61-51.J.22

Summary: DR Horton, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a kiddie pool located in Richland County, South Carolina. The Department issued a Notice of Enforcement Conference on December 4, 2020, 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 kiddie pool, which has been permanently closed for a period in excess of twenty-four consecutive months.

Action: The Individual/Entity is required to: submit to the Department for review and approval, a plan detailing the procedure and materials to be used to properly fill in or remove the kiddie pool by March 24, 2021; and complete the procedure in accordance with the plan and contact the Department to schedule an inspection to verify the completed work by June 22, 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.

Updates: The Individual/Entity has submitted a plan and the plan has been approved.

16) <u>Order Type and Number:</u>	Consent Order 21-011-RW
<u>Order Date:</u>	March 9, 2021
<u>Individual/Entity:</u>	PWRE2 Kay Street Apartments, LLC
<u>Facility:</u>	Colony East Apartments
<u>Location:</u>	3430 Kay Street Columbia, SC 29210
<u>Mailing Address:</u>	Same
<u>County:</u>	Richland
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	40-064-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51.J.22

Summary: PWRE2 Kay Street Apartments, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department issued a Notice of Enforcement Conference on December 3, 2020, as a result of a review of inspection records. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to fill in or remove the pool, which has been permanently closed for a period in excess of twenty-four consecutive months.

Action: The Individual/Entity is required to: correct all deficiencies and any upgrades required to bring the pool into compliance with Regulation 61-51 and contact the Department to schedule an inspection to verify the completed work by September 6, 2021. The Individual/Entity will be required to properly fill in or remove the pool by January 3, 2022, if the requirement to bring the pool into compliance with Regulation 61-51 is not met within the specified timeline. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four hundred dollars (**\$400.00**) should any requirement of the Order not be met.

Updates: On November 19, 2020, Department staff conducted a technical assistance inspection of the pool with the Individual/Entity to provide an inspection checklist of the deficiencies and required upgrades.

17) Order Type and Number: Consent Order 21-012-RW
Order Date: March 22, 2021
Individual/Entity: **NBVM-2, LLC**
Facility: Holiday Inn Express Greenville Airport
Location: 2681 Dry Pocket Road
Greer, SC 29650
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit/ID Number: 23-469-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: NBVM-2, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Greenville County, South Carolina. The Department conducted inspections on July 24, 2020, August 7, 2020, and December 9, 2020, 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 no drinking water fountain; the chlorine and pH levels were not within the acceptable range of water quality standards; the log book was not properly bound and numbered and was not maintained on a daily basis; the cyanuric acid level was above the water quality standards acceptable limit; and the plaster on the pool floor was deteriorated.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of one thousand, six hundred eighty dollars (\$1,680.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, six hundred eighty dollars (**\$1,680.00**) in three installments. Payments are due April 1, 2021, May 1, 2021, and June 1, 2021.

Updates: The first and second installments have been received.

Drinking Water Enforcement

18) Order Type and Number: Consent Order 21-008-DW
Order Date: March 10, 2021
Individual/Entity: **Gilbert Summit Rural Water District**
Facility: Gilbert Summit Rural Water District
Location: 136 Hampton Street
Gilbert, SC 29054
Mailing Address: P.O. Box 172
Gilbert, SC 29054
County: Lexington
Previous Orders: None
Permit/ID Number: 3220001
Violations Cited: S.C. Code Ann. Regs. 61-58.5.H(2)

Summary: Gilbert Summit Rural Water District (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Lexington County, South Carolina. On December 21, 2020, 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 exceeded the maximum contaminant level (MCL) for combined radium 226/228.

Action: The Individual/Entity is required to: submit a corrective action plan with a schedule to address the MCL violation by April 9, 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.

Updates: The Individual/Entity submitted a corrective action plan and the plan was approved.

19) <u>Order Type and Number:</u>	Consent Order 21-009-DW
<u>Order Date:</u>	March 10, 2021
<u>Individual/Entity:</u>	Fishing Line Enterprises, LLC
<u>Facility:</u>	Fishing Line Enterprises
<u>Location:</u>	8 Whittle Lane Bluffton, SC 29910
<u>Mailing Address:</u>	27 Timber Lane Hilton Head, SC
<u>County:</u>	Beaufort
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	0760065
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7 & 61-58.8.B

Summary: Fishing Line Enterprises, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Beaufort County, South Carolina. The Department conducted an inspection of the PWS on December 3, 2020, 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: an emergency preparedness plan was not provided for Department review; a complete procedures manual with written programs and logs was not provided for Department review; there was dirt and debris covering the well pad; the sanitary seal was rusted; the wellhead piping did not have a screened vent; the pressure gauge was not working; the well did not have a wellhouse; and the sample tap was not functional.

Action: The Individual/Entity is required to: correct the deficiencies and submit to the Department for review and approval a complete procedures manual and an emergency preparedness plan by July 1, 2021. 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.

Updates: None

20) Order Type and Number: Consent Order 21-010-DW
Order Date: March 10, 2021
Individual/Entity: **McCormick Commission of Public Works**
Facility: McCormick CPW
Location: 912 South Main Street
McCormick, SC 29835
Mailing Address: Same
County: McCormick
Previous Orders: None
Permit/ID Number: 3510001
Violations Cited: S.C. Code Ann. Regs. 61-58.10.I(6)(b)(ii) & 61-58.6.E(3)(b)(iii)

Summary: McCormick Commission of Public Works (Individual/Entity) is responsible for the proper operation and maintenance of a public water system (PWS) located in McCormick County, South Carolina. On January 21, 2021, violations were issued as a result of review of monitoring and reporting records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the PWS exceeded the maximum contaminant level (MCL) for turbidity and the Individual/Entity failed to consult with the Department no later than twenty-four hours after it learned of the turbidity exceedance.

Action: The Individual/Entity is required to: submit a corrective action plan with a schedule to address the turbidity violation and a standard operating procedure to ensure compliance with notification requirements by April 10, 2021. The Department has assessed a total civil penalty in the amount of eight thousand dollars (\$8,000.00). The Individual/Entity shall pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**) by April 10, 2021.

Updates: The civil penalty has been paid. The Individual/Entity submitted a corrective action plan and a standard operating procedure which were approved by the Department.

21) Order Type and Number: Consent Order 21-011-DW
Order Date: March 12, 2021
Individual/Entity: **Cendy Blackwell, Individually and d.b.a. Cendy's Café and Grocery**
Facility: Cendy's Café and Grocery
Location: 3267 Highway 11
Cleveland, SC 29635
Mailing Address: Same
County: Pickens
Previous Orders: None
Permit/ID Number: 3972000
Violations Cited: S.C. Code Ann. Regs. 61-58.7 & 61-58.8.B

Summary: Cendy Blackwell, Individually and d.b.a. Cendy's Café and Grocery (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Pickens County, South Carolina. The Department conducted an inspection of the PWS on December 17, 2020, and it was rated unsatisfactory for failure to properly operate and maintain, and failure to provide an up-to-date emergency

preparedness plan. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: an up-to-date emergency preparedness plan was not provided for Department review; a complete procedures manual with written programs and logs was not provided for Department review; the current storage capacity was not the originally permitted amount; the sanitary seal was not flush to the casing; the casing vent did not meet regulatory standards; the well house door was not attached to its hinges; the sample tap for the wellhead piping was threaded; the water source did not have a sample tap; the electrical control box was on the ground; and the pressure switch box was not closed and the wires were exposed.

Action: The Individual/Entity is required to: correct the deficiencies and submit to the Department for review and approval a complete procedures manual and an up-to-date emergency preparedness plan by May 31, 2021. The Department has assessed a total civil penalty in the amount of seven thousand dollars (\$7,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of seven thousand dollars (**\$7,000.00**) should any requirement of the Order not be met.

Updates: None

22) <u>Order Type and Number:</u>	Consent Order 21-012-DW
<u>Order Date:</u>	March 25, 2021
<u>Individual/Entity:</u>	Jimalee Hanna Schmidt, Individually and d.b.a. Regency Square 2 MHP
<u>Facility:</u>	Regency Square 2 MHP
<u>Location:</u>	5150 Platt Springs Road Lexington, SC 29073
<u>Mailing Address:</u>	755A Woodberry Road Lexington, SC 29073
<u>County:</u>	Lexington
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	3260170
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.11.H(4)(d)(vi)(A); 61-58.11.G; & 61-58.11.C(5)(a)

Summary: Jimalee Hanna Schmidt, Individually and d.b.a. Regency Square 2 Mobile Home Park (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Lexington County, South Carolina. On August 4, 2020, January 27, 2021, and February 1, 2021, violations were issued as a result of review of monitoring and reporting records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: failed to conduct standard six month monitoring for lead and copper; failed to issue Public Education (PE) Information to its customers; and failed to submit to the Department an Optimal Corrosion Control Treatment (OCCT) Recommendation.

Action: The Individual/Entity is required to: continue standard six month monitoring for lead and copper; issue PE Information to its customers and submit a PE certification form to the Department by April 15, 2021; and submit an OCCT Recommendation and schedule to the Department for review and approval by May 15, 2021. 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 two thousand dollars (**\$2,000.00**) in four installments and pay a stipulated penalty in the amount

of ten thousand dollars (\$10,000.00) should any requirement of the Order not be met. The four installments are due May 1, 2021, June 1, 2021, July 1, 2021, and August 1, 2021.

Updates: The Individual/Entity has resumed standard six-month monitoring, issued PE Information to its customers, and submitted a PE certification form to the Department. The first installment of the penalty payment has been received.

Water Pollution Enforcement

23) Order Type and Number: Consent Order 21-009-W
Order Date: March 2, 2021
Individual/Entity: **W/C GSP Lot 3 Owner VIII LLC**
Facility: Lister Road Borrow Mine
Location: 0 Lister Road
Greer, SC 29651
Mailing Address: 200 W Madison Street
Chicago, IL 60606
County: Spartanburg
Previous Orders: None
Permit/ID Number: SCG730767
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) (2008 & Supp. 2019), Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41(a) (2011), and NPDES Permit SCG730767

Summary: W/C GSP Lot 3 Owner VIII LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility in Spartanburg County, South Carolina. On November 30, 2020, a Notice of Alleged Violation was issued as a result of total suspended solids 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 the Total Suspended Solids 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 April 1, 2021; conduct a six (6) monitoring event compliance confirmation period upon completion of corrective actions; and, implement engineered upgrades to best management practices as determined by an engineering study should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of two thousand eight hundred dollars (\$2,800.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand eight hundred dollars (**\$2,800.00**) by April 1, 2021.

Updates: The Individual/Entity has submitted the corrective action completion notification and has paid the civil penalty.

24) Order Type and Number: Consent Order 21-010-W
Order Date: March 2, 2021
Individual/Entity: **City of Clemson**

Facility: Cochran Road WWTF
Location: Cochran Road
Clemson, SC 29631
Mailing Address: 300 Cochran Road
Clemson, SC 29631
County: Pickens
Previous Orders: 16-012-W (\$1,700.00)
Permit/ID Number: NPDES Permit SC0020010
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110 (d) (2008 & Supp. 2019); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41 (a) and (d) (2011).

Summary: The City of Clemson (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility located in Pickens County, South Carolina. On September 14, 2020, a Notice of Alleged Violation 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 Water Pollution Control Permits Regulation as follows: failed to comply with the effluent discharge limits of its National Pollutant Discharge Elimination System permit for BOD.

Action: The Individual/Entity is required to: submit a written notification of the completion date for all corrective actions necessary to resolve the violations by April 2, 2021; conduct a six (6) monitoring event compliance confirmation period upon completion of corrective actions; and, implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of two thousand, one hundred dollars (\$2,100.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, one hundred dollars (**\$2,100.00**) by April 2, 2021.

Updates: The Individual/Entity submitted a corrective action completion notification and has paid the civil penalty.

25) Order Type and Number: Consent Order 21-011-W
Order Date: March 19, 2021
Individual/Entity: **Thomas Nolan**
Facility: Nolan Services Incorporated
Location: 1674 Manville Wisacky Road
Bishopville, SC 29010
Mailing Address: Same
County: Lee
Previous Orders: None
Permit/ID Number: SCG160037
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) (2008 & Supp. 2019), Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.21(d) (2011), and NPDES Permit SCG160037

Summary: Thomas Nolan (Individual/Entity) owns and operates a pesticide application company in Lee County, South Carolina. On January 14, 2021, a Notice of Violation 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 National Pollutant Discharge Elimination System (NPDES) permit at least one hundred eighty (180) days before the existing permit expires.

Action: The Individual/Entity is required to: submit an administratively complete application for renewal of its NPDES permit by April 9, 2021 and continue operating the pesticide application company 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 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 19, 2021.

Updates: The Individual/Entity has submitted an administratively complete application for renewal of their permit and has paid the civil penalty.

26) Order Type and Number: Consent Order 21-012-W
Order Date: March 19, 2021
Individual/Entity: **Anita Inc.**
Facility: Budget Inn WWTF
Location: 5505 Highway 187
Anderson, SC 29625
Mailing Address: Same
County: Anderson
Previous Orders: None
Permit/ID Number: NPDES Permit SC0023311
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110 (d) (2008 & Supp. 2019); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41 (a) and (e) (2011).

Summary: Anita Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Pickens County, South Carolina. On January 31, 2020, a Notice of Violation was issued as a result of ammonia-nitrogen (ammonia), Escherichia coli (E.coli), total copper (copper) and chronic whole toxicity (CTOX) violations as reported on discharge monitoring reports submitted to the Department, and for failing to properly operate and maintain the WWTF in accordance with its National Pollutant Discharge Elimination System permit. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent discharge limits of its National Pollutant Discharge Elimination System permit for ammonia, E.coli, copper, CTOX, and failed to properly operate and maintain the WWTF.

Action: The Individual/Entity is required to: submit a written notification of the completion date for all corrective actions necessary to resolve the violations by April 19, 2021; 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 twenty thousand dollars (\$20,000.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**) by April 19, 2021, and a suspended penalty in the amount of eighteen thousand dollars (\$18,000.00) if any requirement of the Order is not met.

Updates: The Individual/Entity has submitted the corrective action completion notification and has paid the civil penalty.

27) Order Type and Number: Consent Order 21-013-W
Order Date: March 19, 2021
Individual/Entity: **Orangeburg County**
Facility: Goodbys Creek WWTF
Location: 1 mile south of U.S. Hwy 301 and U.S. Highway 176 in Santee, SC
Mailing Address: P.O. Drawer 9000
Orangeburg, SC 29116
County: Orangeburg
Previous Orders: 20-031-W (\$1,000.00)
Permit/ID Number: ND0086461
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110 (d) (2008 & Supp. 2019); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41 (a) (2011).

Summary: Orangeburg County (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Orangeburg County, South Carolina. On October 15, 2020, a Notice of Violation was issued as a result of ammonia-nitrogen (ammonia) violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent discharge limits of its National Pollutant Discharge Elimination System permit for ammonia.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the violations by April 19, 2021; 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 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 19, 2021.

Updates: The Individual/Entity has paid the civil penalty. The Department has not received the written corrective action notification and has contacted the Individual/Entity regarding the past due submittal.

28) Order Type and Number: Consent Order 21-016-W
Order Date: March 30, 2021
Individual/Entity: **Ms. Shirley Cox Scott**
Facility: Cox Farms
Location: 452 High Hill Road
Dillon, SC
Mailing Address: P.O. Box 1242
Lake View, SC 29563
County: Dillon
Previous Orders: None

Permit/ID Number: N/A
Violations Cited: South Carolina Standards for the Permitting of Agricultural Animal Facilities, S.C. Code Ann. Regs. 61-43.200.130 (2) (2011)

Summary: Ms. Shirley Cox Scott (Individual/Entity) owns and is responsible for the proper operation and maintenance of an agricultural animal facility in Dillon County, South Carolina. On September 28, 2020 a Notice of Alleged Violation was issued for failure to cover a stockpile of manure for more than three (3) days. The Individual/Entity has violated the South Carolina Standards for the Permitting of Agricultural Animal Facilities as follows: stockpiled uncovered manure, not on a concrete or other approved pad, for more than three (3) days.

Action: The Individual/Entity is required to: ensure that any manure stockpiled at the agricultural animal facility is either properly covered, properly removed from the property, or, properly land applied by a permitted by April 9, 2021. The Department has assessed a total civil penalty in the amount of two thousand eight hundred and ninety dollars (\$2,890.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand eight hundred and ninety dollars (**\$2,890.00**) by April 19, 2021.

Updates: The Individual/Entity has submitted documentation demonstrating the uncovered manure is no longer stockpiled at the property and has paid the civil penalty.

29) Order Type and Number: Consent Order 21-017-W
Order Date: March 30, 2021
Individual/Entity: **City of Rock Hill/Manchester Creek WWTF**
Facility: City of Rock Hill
Location: 310 Red River Road
Mailing Address: P.O. Box 11706
Rock Hill, SC 29731
County: York
Previous Orders: None
Permit/ID Number: SC0020443
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 SC0020443

Summary: The City of Rock Hill (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in York County, South Carolina. On August 27, 2020, a Notice of Violation 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 Regulation as follows: failed to comply with the effluent limitations for E. coli as contained in 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 April 30, 2021; 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 three hundred and sixty dollars (\$3,360.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand three hundred and sixty dollars (**\$3,360.00**) by April 30, 2021.

Updates: The Individual/Entity has submitted the corrective action completion notification and has paid the civil penalty.

Dams Safety Enforcement

30) Order Type and Number: Administrative Order 21-014-W
Order Date: March 25, 2021
Individual/Entity: **Edith Joann Ackerman**
Facility: McGrady Dam
Location: Off of Cane Branch Road in
Walterboro, SC
Mailing Address: 18 Edward Road
Walterboro, SC 29488
County: Colleton
Previous Orders: Consent Agreement 17-076-W and
Emergency Order dated
October 14, 2016
Permit/ID Number: D 4934
Violations Cited: SC Dams and Reservoirs Safety Act, S.C.
Code Ann. § 49-11-110, *et seq.*, (2008) and Dams and Reservoirs Safety Act
Regulation 72.1, *et seq.* (2012)

Summary: Edith Joann Ackerman (Individual/Entity) owns and is responsible for the proper operation and maintenance of a dam in Colleton County, South Carolina. A Notice of Violation was issued April 5, 2018, for failure to comply with the terms and conditions of Consent Agreement 17-076-W. The Department conducted a preliminary inspection on February 11, 2020, and issued a letter summarizing the findings on April 6, 2020. The letter was unclaimed by the Individual/Entity. The Individual/Entity has violated the SC Dams and Reservoirs Safety Act and the SC Dams and Reservoirs Safety Act Regulation as follows: failed to properly maintain the dam; failed to evaluate the structural safety and hydraulic capacity of the dam; failed to maintain a safe water level; and failed to submit a tree management plan.

Action: The Individual/Entity is required to: submit confirmation to the Department that an engineer has been retained to evaluate the Dam's structural safety and hydraulic capacity by May 25, 2021; maintain a safe water level until a Certificate of Completion has been issued by the Department; submit confirmation to the Department that large trees have been evaluated by an engineer by July 25, 2021; submit to the Department a permit application for the repair or removal of the Dam by August 25, 2021; within one (1) year from receiving a permit issued by the Department for the repair or removal of the Dam, complete all construction activities related to the repair or removal; and, request a final inspection by the Department within ten (10) days from completing all activities related to repair or removal of the Dam.

Updates: None

BUREAU OF AIR QUALITY

- 31) Order Type and Number: Consent Order 21-004-A
Order Date: March 22, 2021
Individual/Entity: **Kimura, Inc.**
Facility: Kimura, Inc.
Location: 102 Cherry Blossom Drive
Laurens, SC 29360
Mailing Address: Same
County: Greenwood
Previous Orders: None
Permit/ID Number: 1520-0096
Violations Cited: S.C. Code Ann. Regs. 61-62.1, Section II,
Permit Requirements

Summary: Kimura, Inc. (Individual/Entity), manufactures steel pallets and containers at its facility located in Laurens County, South Carolina. The Department conducted an inspection on July 27, 2020 and issued a Notice of Violation on December 2, 2020. The Individual/Entity has violated South Carolina Air Pollution Control Regulation, as follows: failed to implement an inspection and replacement schedule for fabric filters associated with wet paint spray booth; failed to maintain documentation of maintenance checks performed on the afterburner and water spray system; failed to maintain an on-site implementation log; and, failed to conduct an annual facility equipment review.

Action: The Individual/Entity is required to: comply with all terms and conditions their permit. 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 22, 2021.

Updates: The Individual/Entity has paid the assessed civil penalty.

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

Food Safety Enforcement

- 32) Order Type and Number: Consent Order 2021-206-03-001
Order Date: March 1, 2021
Individual/Entity: **Mary Ann Keim and MAK's Meals, LLC**
Facility: Mary Ann Keim and MAK's Meals, LLC
Location: 429 South Main Street
Prosperity, SC 29127
Mailing Address: Same
County: Richland
Previous Orders: None

Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Mary Ann Keim and MAK's Meals, LLC (Individual/Entity) is a caterer located in Richland County, South Carolina. The Department issued warning letters on February 19, 2020, and October 27, 2020. The Department conducted an investigation on February 5, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: served food for public consumption without a Department issued Retail Food Establishment Permit.

Action: The Individual/Entity is required to cease all food service operations until a Retail Food Establishment Permit is obtained through 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 civil penalty in the amount of one thousand dollars (**\$1,000.00**).

Updates: The Individual/Entity has entered a payment plan with the Department. Department staff have received payments in accordance with the payment plan.

33) Order Type and Number: Consent Order 2021-206-04-001
Order Date: March 29, 2021
Individual/Entity: **Subway #8730**
Facility: Subway #8730
Location: 3745 Greeleyville Highway
Manning, SC 29102
Mailing Address: P.O. Box 728
Savannah, GA 31402
County: Clarendon
Previous Orders: None
Permit Number: 14-206-00612
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Subway #8730 (Individual/Entity) is a restaurant located in Clarendon County, South Carolina. The Department conducted inspections on October 1, 2020, January 15, 2021, January 25, 2021, February 4, 2021, and February 12, 2021. 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 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, 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 March 29, 2021.

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

On Site Wastewater Enforcement

34) Order Type and Number: Administrative Order 21-013-OSWW
 Order Date: March 2, 2021
 Individual/Entity: **Katydid Properties, LLC**
 Facility: Katydid Properties, LLC
 Location: 345 Shelton Road
 Travelers Rest, SC 29690
 Mailing Address: P.O. Box 2001
 Easley, SC 29641
 County: Greenville
 Previous Orders: None
 Permit Number: None
 Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Katydid Properties, LLC (Individual/Entity) owns property located in Greenville County, South Carolina. The Department conducted an investigation on January 21, 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.

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

35) Order Type and Number: Administrative Order 21-012-OSWW
 Order Date: March 8, 2021
 Individual/Entity: **James J. Cravens, Jr. and Jo Beth Cravens**
 Facility: James J. Cravens, Jr. and Jo Beth Cravens
 Location: 305 Chafford Court
 Simpsonville, SC 29681
 Mailing Address: Same
 County: Greenville
 Previous Orders: None
 Permit Number: None
 Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: James J. Cravens, Jr. and Jo Beth Cravens (Individual/Entity) owns property located in Greenville County, South Carolina. The Department conducted an investigation on January 29, 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.

Updates: A contractor has been retained and is awaiting results from the soil classifier before repairs can be conducted.

36)	<u>Order Type and Number:</u>	Administrative Order 21-014-OSWW
	<u>Order Date:</u>	March 8, 2021
	<u>Individual/Entity:</u>	Joyce Morrow and Troy Morrow
	<u>Facility:</u>	Joyce Morrow and Troy Morrow
	<u>Location:</u>	240 Crooked Creek Road 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: Joyce Morrow and Troy Morrow (Individual/Entity) own property located in Oconee County, South Carolina. The Department conducted an investigation on January 27, 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.

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

37)	<u>Order Type and Number:</u>	Administrative Order 21-016-OSWW
	<u>Order Date:</u>	March 8, 2021
	<u>Individual/Entity:</u>	Chassidy Morales

Facility: Chassidy Morales
Location: 3546 H. I. Taylor Road
Williamston, SC 29697
Mailing Address: 120 Hadden Avenue
Duncan, SC 29334
County: Anderson
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Chassidy Morales (Individual/Entity) owns property located in Anderson County, South Carolina. The Department conducted an investigation on January 27, 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.

Updates: Requested regional personnel revisit.

38) Order Type and Number: Administrative Order 20-015-OSWW
Order Date: March 12, 2021
Individual/Entity: **Callie Rae Scurry**
Facility: Scurry Mobile Home Park
Location: 1428 Newberry Highway
Saluda, SC 29138
Mailing Address: Same
County: Saluda
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Callie Rae Scurry (Individual/Entity) owns property located in Saluda County, South Carolina. The Department conducted an investigation on December 7, 2020, 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 systems 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.

Updates:

39) Order Type and Number: Administrative Order 20-017-OSWW
Order Date: March 25, 2021
Individual/Entity: **Dorniece Butler**
Facility: Dorniece Butler
Location: 132 Butler Corner Lane
Ridgeville, SC 29472
Mailing Address: 101 Brailsford Road
Summerville, SC 29485
County: Berkeley
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Dorniece Butler (Individual/Entity) owns property located in Berkeley County, South Carolina. The Department conducted an investigation on February 21, 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.

Updates: Department personnel will revisit the site in the next two weeks to ensure the new repairs are appropriately working and the discharge of domestic wastewater to the surface of the ground has ceased.

40) Order Type and Number: Administrative Order 20-19-OSWW
Order Date: March 25, 2021
Individual/Entity: **Leng Keovongxay and Soy Keovongxay**
Facility: Leng Keovongxay and Soy Keovongxay
Location: 880 Beverly Drive
Spartanburg, SC 29303
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit Number: None

Violations Cited:

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

Summary: Leng Keovongxay and Soy Keovongxay (Individual/Entity) owns property located in Spartanburg County, South Carolina. The Department conducted an investigation on January 19, 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.

Updates: None.

41) Order Type and Number: Administrative Order 20-021-OSWW
Order Date: March 25, 2021
Individual/Entity: **SFR3-005, LLC**
Facility: SFR3-005, LLC
Location: 315 Jacqueline Lane
Greenville, SC 29607
Mailing Address: 500 Westover Drive #14104
Sanford, NC 27330
228 Park Avenue South, Suite 73833
New York, NY 10003-1502
County: Greenville
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: SFR3-005, LLC (Individual/Entity) owns property located in Greenville County, South Carolina. The Department conducted an investigation on February 1, 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.

Updates: Invoice for connecting the Site to the public sewer has been provided. Waiting on the final approval for connection from the public sewer provider. Regional verification has been requested.

42) Order Type and Number: Administrative Order 20-022-OSWW
Order Date: March 25, 2021
Individual/Entity: **HASE Investments, Inc.**
Facility: HASE Investments, Inc.
Location: 29 Camelia Circle
Williamston, SC 29697
Mailing Address: Same
County: Anderson
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: HASE Investments, Inc. (Individual/Entity) owns property located in Anderson County, South Carolina. The Department conducted an investigation on February 12, 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.

Updates: None.

43) Order Type and Number: Administrative Order 21-020-OSWW
Order Date: March 31, 2021
Individual/Entity: **Beverly Oswald**
Facility: Beverly Oswald
Location: 133 Barnwell Court
Lexington, SC 29073
Mailing Address: 137 Barnwell Court
Lexington, SC 29073
County: Lexington
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Beverly Oswald (Individual/Entity) owns property located in Lexington County, South Carolina. The Department conducted an investigation on February 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.

Updates: None

44) <u>Order Type and Number:</u>	Consent Order 21-006-OSWW
<u>Order Date:</u>	March 19, 2021
<u>Individual/Entity:</u>	Orlando Santiago Gonzalez
<u>Facility:</u>	La Roca Enterprises
<u>Location:</u>	10751 Ola Drive Indian Land, SC 29715
<u>Mailing Address:</u>	4412 Brittmore Court Charlotte, NC 28227
<u>County:</u>	Lancaster
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Orlando Santiago Gonzalez, doing business as La Roca Enterprises, (Individual/Entity) attempted to make repairs to the OSWW system at property located in Lancaster County, South Carolina. The Department conducted an investigation on January 6, 2021 and determined that the Individual/Entity does not hold a Department issued license to construct and repair OSWW systems. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: they have engaged in the business of constructing and repairing onsite sewage treatment systems without first applying for, receiving, and subsequently maintaining a valid license to conduct such activities, as required by the Department.

Action: The Individual/Entity is required to cease and desist engaging in the business of constructing and repairing onsite sewage treatment systems without first applying for, receiving, and subsequently maintaining a valid license to conduct such activities, as required by the Department. The Department has assessed a total civil penalty in the amount of one thousand, five hundred dollars (\$1,500.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, five hundred dollars (**\$1,500.00**).

Updates: The Individual/Entity has submitted 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.