

EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
May 12, 2011

BUREAU OF LAND AND WASTE MANAGEMENT

UST Enforcement

- 1) Order Type and Number: Administrative Order 10-0078-UST
 Order Date: March 1, 2011
 Respondent: **RWWA, Inc.**
 Facility: Robert's Exxon
 Location/Mailing Address: 4007 Farrow Road, Columbia, SC
 29203
 County: Richland
 Previous Orders: None
 Permit/ID Number: 11310
 Violations Cited: State Underground Petroleum
 Environmental Response Bank (SUPERB) Act of 1988 (2002), Section
 44-2-60(A) and the South Carolina Underground Storage Tank Control
 Regulation 61-92.280.34(c), R.61-92.280.40(a), and R.61-92.280.44(a)
 (Supp. 2010)

Summary: RWWA, Inc. (Respondent) owns and operates underground storage tanks (USTs) in Richland County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide records to the Department upon request; failure to provide an adequate release detection method; failure to check the line leak detector function annually; and, failure to pay to the Department annual tank registration fees.

Action: The Respondent is required to: submit the most recent twelve months of automatic tank gauge (ATG) records for all tanks or acceptable tank tightness test results for all tanks or proof that all tanks contain less than one inch of residue; submit acceptable line leak detector test results for the premium electronic line leak detector or proof that the premium tank contains less than one inch of residue; pay annual tank registration fees for fiscal year 2011 in the amount of four hundred eighty-four dollars (\$484.00); and, pay a civil penalty in the amount of four thousand, eight hundred seventy dollars (**\$4,870.00**).

- 2) Order Type and Number: Consent Order 11-0003-UST
 Order Date: March 23, 2011
 Respondent: **Mahesh Patel**

Facility: Druv, Inc. d.b.a. Royal Food Store 7
Location/Mailing Address: 3913 Highway 25 South,
Greenwood, SC 29646/719 Bypass
25 NE, Greenwood, SC 29646
County: Greenwood
Previous Orders: None
Permit/ID Number: 04713
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (2002), and
the South Carolina Underground Storage Tank Control Regulation 61-
92.280.93(a) and R.61-92.280.110(c) (Supp. 2010).

Summary: Mahesh Patel (Respondent) owns and operates underground storage tanks (USTs) in Greenwood County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to demonstrate financial responsibility and failure to provide financial responsibility records to the Department upon request.

Action: The Respondent is required to pay a civil penalty in the amount of eight hundred fifty dollars (**\$850.00**).

3) Order Type and Number: Consent Order 10-0231-UST
Order Date: March 8, 2011
Respondent: **Barker's Service Center**
Facility: Barker's Service Center
Location/Mailing Address: 600 Main Street, Conway, SC 29526
County: Horry
Previous Orders: None
Permit/ID Number: 18784
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (2002), and
the South Carolina Underground Storage Tank Control Regulation 61-
92.280.34(c) and R.61-92.280.40(a) (Supp. 2010).

Summary: Barker's Service Center (Respondent) owns and operates underground storage tanks (USTs) in Horry County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide records to the Department upon request and failure to provide an adequate release detection method.

Action: The Respondent is required to pay a civil penalty in the amount of six hundred dollars (**\$600.00**).

4) Order Type and Number: Consent Order 10-0282-UST

Order Date: March 16, 2011
Respondent: **Evans Petroleum Company, Inc.**
Facility: 903 Mart
Location/Mailing Address: 2160 Flat Creek Rd., Lancaster,
SC/605 S. Market St., Lancaster, SC
29720-3630
County: Lancaster
Previous Orders: None
Permit/ID Number: 05567
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (2002), and
the South Carolina Underground Storage Tank Control Regulation 61-
92.280.31(a) and R.61-92.280.34(c) (Supp. 2010).

Summary: Evans Petroleum Company, Inc. (Respondent) owns and operates underground storage tanks, located in Lancaster, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to maintain and operate corrosion protection equipment continuously and failure to provide records to the Department upon request.

Action: The Respondent is required to: submit proof that the rectifier box has been repaired and corrosion protection system test results after repairs; and, pay a civil penalty in the amount of six hundred twenty-five dollars (**\$625.00**).

5) Order Type and Number: Consent Order 10-0322-UST
Order Date: March 8, 2011
Respondent: **Amit R. Patel**
Facility: Scotchman Convenience
Location/Mailing Address: 1207 East Liberty St., Marion, SC
29571/1301 East Liberty St., Marion,
SC 29571
County: Marion
Previous Orders: None
Permit/ID Number: 06274
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (2002), and
the South Carolina Underground Storage Tank Control Regulation 61-
92.280.34(c) and R.61-92.280.40(a) (Supp. 2010).

Summary: Amit R. Patel (Respondent) owns and operates underground storage tanks (USTs) in Marion County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide records to the Department upon request and failure to provide an adequate release detection method.

Action: The Respondent is required to pay a civil penalty in the amount of one thousand, four hundred twenty-five dollars (**\$1,425.00**).

- 6) Order Type and Number: Consent Order 10-0331-UST
Order Date: March 16, 2011
Respondent: **Carroll & Blanton, Inc.**
Facility: BP Market Place
Location/Mailing Address: 2285 Charleston Hwy., Cayce, SC
29033/1420 Weston Rd., Hopkins,
SC 29061
County: Lexington
Previous Orders: None
Permit/ID Number: 12773
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (2002), and
the South Carolina Underground Storage Tank Control Regulation 61-
92.280.20(e), R.61-92.280.34(c) and R.61-92.280.40(a) (Supp. 2010).

Summary: Carroll & Blanton, Inc. (Respondent) owns and operates underground storage tanks (USTs) in Lexington County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install a UST in accordance with accepted codes and standards, failure to provide records to the Department upon request and failure to provide an adequate release detection method.

Action: The Respondent is required to pay a civil penalty in the amount of four hundred seventy-four dollars (**\$474.00**) in accordance with a Promissory Note.

- 7) Order Type and Number: Consent Order 10-0335-UST
Order Date: March 31, 2011
Respondent: **Corner Pantry, Inc**
Facility: Corner Pantry 127
Location/Mailing Address: 2931 Charleston Hwy., Cayce, SC
29172/1001 Idlewilde Blvd.,
Columbia, SC 29201
County: Lexington
Previous Orders: None
Permit/ID Number: 10882
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (2002), and
the South Carolina Underground Storage Tank Control Regulation 61-
92.280.20(e) and R.61-92.280.31(a) (Supp. 2010).

Summary: Corner Pantry, Inc. (Respondent) owns and operates underground storage tanks (USTs) in Lexington County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to install a UST in accordance with accepted codes and standards and failure to operate and maintain corrosion protection equipment continuously.

Action: The Respondent is required to pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

- 8) Order Type and Number: Consent Order 10-0336-UST
Order Date: March 18, 2011
Respondent: **Boones Barn, Inc.**
Facility: Jetco
Location/Mailing Address: 420 S. Congress St., Winnsboro, SC 29180
County: Fairfield
Previous Orders: 07-0326-UST (\$600.00)
Permit/ID Number: 03185
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (2002), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.20(c) and R.61-92.280.40(a) (Supp. 2010).

Summary: Boones Barn, Inc. (Respondent) owns and operates underground storage tanks, located in Winnsboro, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to use an adequate overfill prevention system in an underground storage tank and failure to provide adequate release detection methods for an underground storage tank system.

Action: The Respondent is required to pay a civil penalty in the amount of one thousand, four hundred twenty-five dollars (**\$1,425.00**) in accordance with a Promissory Note.

Hazardous Waste Enforcement

- 9) Order Type and Number: Consent Order 11-05-HW
Order Date: March 16, 2011
Respondent: **South Carolina Central Railroad**
Facility: South Carolina Central Railroad
Location/Mailing Address: 621 Field Pond Road
Darlington, South Carolina 29540
County: Darlington

Previous Orders: 07-12-HW (\$1,500)
Permit/ID Number: SCR 000 767 798
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2) and the South Carolina Hazardous Waste Management Regulation 61-79.263.10(g).

Summary: South Carolina Central Railroad (Respondent), located in Darlington, South Carolina, operates a small, shortline railway transport facility. The Respondent has violated the South Carolina Hazardous Waste Management Act as follows: failure to obtain a permit to be a transporter of hazardous waste within the State.

Action: The Respondent has agreed to: ensure that a hazardous waste transporter permit is applied for and received from the Department before transporting hazardous waste in accordance with the regulations and pay a civil penalty in the amount of two thousand, two hundred fifty dollars (**\$2,250.00**).

Infectious Waste Enforcement

10) Order Type and Number: Consent Order 11-01-IW
Order Date: March 16, 2011
Respondent: **Beaufort County Memorial Hospital**
Facility: Beaufort County Memorial Hospital
Location/Mailing Address: 955 Ribaut Road
Beaufort, SC 29902
County: Beaufort
Previous Orders: None
Permit Number: SC07-0051G
Violations Cited: The South Carolina Infectious Waste Management Act §44-93-30 and the South Carolina Infectious Waste Management Regulation 61-105.I(3); R.61-105.I(5); R.61-105.I(8); R.61-105.J(2)(b); R.61-105.J(2)(d); R.61-105.M(1)(b); and, R.61-105.AA(3).

Summary: Beaufort County Memorial Hospital (Respondent) is a full service hospital providing health care services in Beaufort County. The Respondent has violated the Infectious Waste Management Regulations as follows: failure to place, store, and maintain infectious waste before and during transport in a rigid or semirigid, leak resistant container which is impervious to moisture; failure to ensure that containers of infectious waste be sealed and closed tightly and securely when full by weight or volume, or when putrescent, to prevent any discharge of the contents at any time until the container enters the treatment system; failure to ensure that infectious waste be contained in containers that are appropriate for the type and quantity of waste and must be

compatible with selected storage, transportation, and treatment processes; failure to ensure that containers of infectious waste offered for transport offsite be labeled on outside surfaces so that it is readily visible with the Department issued number of the generator, the date the container was placed in storage or sent offsite, if not stored; failure to prepare a manifest to include the Department identification number; and, failure to maintain a record of the treatment for two (2) years afterward to include the date and type of treatment, amount of waste treated, and the individual operating the treatment.

Action: The Respondent has agreed to: ensure compliance with the South Carolina Infectious Waste Management Act and Regulations; ensure that all containers of infectious waste are packaged properly; ensure that all containers of infectious waste are labeled; ensure that a manifest is prepared correctly; ensure that a record of treatment for all infectious waste that is no longer infectious because of treatment is maintained onsite for a period of two (2) years after treatment; and, pay a civil penalty in the amount of five thousand, four hundred dollars (**\$5,400.00**).

11) Order Type and Number: Consent Order 11-02-IW
Order Date: March 16, 2011
Respondent: **AnMed Health**
Facility: AnMed Health
Location/Mailing Address: 800 North Fant Street
Anderson, SC 29621
County: Anderson
Previous Orders: None
Permit/ID Number: SC41-18T
Violations Cited: The South Carolina Infectious Waste Management Act §44-93-30 and the South Carolina Infectious Waste Management Regulation 61-105.Q(1)(g); R.61-105.Q(1)(h) and, R.61-105.P(1)(b).

Summary: AnMed Health (Respondent), located in Anderson, South Carolina, provides health care services. The Respondent has violated the Infectious Waste Management Regulations as follows: failure to ensure that identification is permanently affixed to the cargo-carrying body on two sides and the rear in letters that are a minimum of three (3) inches in height and states the name of the transporter, the transporter's Department issued registration number and the words INFECTIOUS WASTE, MEDICAL WASTE, or BIOHAZARDOUS WASTE; failure to ensure that the biohazard symbol sign be permanently affixed to the cargo-carrying body on two sides and the back; and, failure to ensure that all waste accepted for transport is labeled as required by the regulations.

Action: The Respondent has agreed to: ensure that all infectious waste transport vehicles are maintained; ensure that containers of infectious waste accepted for transport are labeled with the appropriate information; and, pay a civil penalty in the amount of five thousand, five hundred dollars (**\$5,500.00**).

- 12) Order Type and Number: Consent Order 11-03-IW
Order Date: March 21 ,2011
Respondent: **St. Francis Hospital System**
Facility: St. Francis Hospital System
Location/Mailing Address: 1 St. Francis Drive
Greenville, South Carolina 29601
County: Greenville
Previous Orders: None
Permit/ID Number: SC23-0253G
Violations Cited: The South Carolina Infectious Waste Management Act §44-93-30 and the South Carolina Infectious Waste Management Regulation 61-105.M(1)(b); R.61-105.M(3); R.61-105.J(2)(b); R.61-105.J(2)(d); R.61-105.X(2)(e); R.61-105.F(1)(h); R.61-105.F(2); R.61-105.X(2)(b); R.61-105.AA(3); R.61-105.F(6)(j); and, R.61- 105.I(9).

Summary: St. Francis Hospital System (Respondent), located in Greenville, South Carolina, provides health care and operates under a permit by rule. The Respondent has violated the Infectious Waste Management Regulations as follows: failure to ensure that all manifests include the Department identification number; failure to sign a manifest by hand or other legally defensible signature; failure to ensure that containers of infectious waste offered for transport offsite be labeled on outside surfaces so that it is readily visible with Department issued number of the in-state generator and the date the container was placed in storage or sent offsite, if not stored; failure to notify the Department in writing before beginning onsite treatment activities; failure to ensure that the registration with the Department include the method of waste treatment and disposal; failure to notify the Department in writing within 30 days of when changes occur in the registration; failure to demonstrate that more than 75 percent (by weight, in a calendar year) of all infectious waste that is stored, treated or disposed of by the facility is generated onsite; failure to maintain a record of waste treatment for two (2) years afterward to include the date and type of treatment, amount of waste treated, and the individual operating the treatment; failure to obtain and record accurate weight of waste within 50 days of shipment; and, failure to ensure that reusable containers be properly disinfected.

Action: The Respondent has agreed to: ensure that manifests are prepared correctly; ensure that containers of infectious waste offered for transport are properly labeled; under a Permit by Rule, ensure that more than 75 percent (by weight, in a calendar year) of all infectious waste that is stored, treated or

disposed by the facility is generated onsite; ensure that all treatment records are recorded and maintained; ensure that an accurate weight of waste shipped for offsite disposal is obtained and recorded; ensure that all reusable containers are properly disinfected; submit records for the previous month demonstrating that the weight of the infectious waste treated onsite is being recorded; and, pay a civil penalty in the amount of seven thousand, two hundred dollars (**\$7,200.00**).

- 13) Order Type and Number: Consent Order 11-04-IW
Order Date: March 23, 2011
Respondent: **Carolinas Hospital System Cedar Tower**
Facility: Carolinas Hospital System Cedar Tower
Location/Mailing Address: 805 Pamplico Highway
Florence, South Carolina 29505
County: Florence
Previous Orders: None
Permit/ID Number: SC21-0080G
Violations Cited: The South Carolina Infectious Waste Management Act §44-93-30 and the South Carolina Infectious Waste Management Regulation 61-105.M(1)(c); R.61-105.K(1)(b); R.61-105.K(3); R.61-105.J(2)(b); R.61-105.J(2)(d); R.61-105.K(1)(a); and, R.61-105.F(5).

Summary: Carolinas Hospital System Cedar Tower (Respondent), located in Florence, South Carolina, is a health care provider. The Respondent has violated the Infectious Waste Management Regulations as follows: failure to include on the manifest the address of the site where the waste was generated; failure to maintain the integrity of the packaging and provide protection from weather conditions such as water, rain, and wind; failure to ensure that access to storage areas is allowed to authorized personnel only; failure to ensure that containers of infectious waste offered for transport offsite are labeled on outside surfaces so that it is readily visible with the Department issued number of the in-state generator and the date the container was placed in storage or sent offsite, if not stored; failure to prevent infectious waste from providing a food source or breeding place for insects or rodents; and, failure to have a written protocol to manage the infectious waste stream from generation until offered for treatment.

Action: The Respondent has agreed to: ensure that all required information is included on manifests; ensure that infectious waste is stored properly; ensure that containers of infectious waste offered for transport are labeled; ensure that the facility maintains an infectious waste protocol; and, pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

- 14) Order Type and Number: Consent Order 11-05-IW
Order Date: March 31, 2011
Respondent: **Regency Hospital Of Greenville**
Facility: Regency Hospital of Greenville
Location/Mailing Address: 3 St. Francis Drive, Suite 440
Greenville, South Carolina 29601
County: Greenville
Previous Orders: None
Permit/ID Number: SC23-0996G
Violations Cited: The South Carolina Infectious Waste Management Act §44-93-30 and the South Carolina Infectious Waste Management Regulations 61-105.F(1); R.61-105.J(2)(b); R.61-105.M; R.61-105.M(1)(a); R.61-105.M(1)(b); R.61-105.M(3); R.61-105.AA(3); R.61-105.F(6)(j); and, R.61-105.I(9).

Summary: Regency Hospital of Greenville (Respondent), located in Greenville, South Carolina, provides long-term acute health care services. The Respondent has violated the Infectious Waste Management Regulations as follows: failure to register with the Department in writing on a Department approved form; failure to ensure that containers of infectious waste offered for transport offsite be labeled on outside surfaces so that it is readily visible with the name or Department issued number of the in-state generator; failure to prepare a manifest using DHEC Form 2116 or another Department approved form; failure to ensure that all manifests include the name of the generator; failure to ensure that all manifests include the Department identification number; failure to sign manifests by hand or other legally defensible signature where required; failure to maintain a record of the treatment for two (2) years afterward to include the date and type of treatment, amount of waste treated, and the individual operating the treatment; and, failure to ensure that reusable containers be properly disinfected after each use.

Action: The Respondent has agreed to: ensure that containers of infectious waste offered for transport are labeled; ensure that manifests are prepared by the generator and all required information is included; ensure that all treatment records are recorded and maintained; obtain and record accurate weight of waste; ensure that all reusable containers are properly disinfected; submit one (1) month of weight records for the infectious waste treated on and offsite; and, pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

- 15) Order Type and Number: Consent Order 11-06-IW
Order Date: March 31, 2011
Respondent: **East Cooper Medical Center**
Facility: East Cooper Medical Center
Location/Mailing Address: 2000 Hospital Drive
Mount Pleasant, S.C. 29464-3764

County: Charleston
Previous Orders: None
Permit/ID Number: SC10-0261G
Violations Cited: The South Carolina Infectious Waste Management Act §44-93-30 and the South Carolina Infectious Waste Management Regulations 61-105.K(1); R.61-105.K(1)(b); R.61-105.K(1)(c); R.61-105.K(2); R.61-105.K(3); R.61-105.J(2)(b); R.61-105.J(2)(d); and, R.61-105.M(1)(b).

Summary: East Cooper Medical Center (Respondent), located in Mount Pleasant, South Carolina, is an adult acute health care facility. The Respondent has violated the Infectious Waste Management Regulations as follows: failure to ensure that storage be in a manner and location which affords protection from animals, vectors, weather conditions, theft, vandalism and which minimizes exposure to the public; failure to maintain the integrity of packaging and provide protection from weather conditions such as water, rain, and wind; failure to ensure that waste be stored in a manner to prevent a release or discharge of the contents; failure to ensure that outdoor storage areas are locked; failure to allow access to authorized personnel only; failure to ensure that containers of infectious waste offered for transport offsite are labeled on outside surfaces so that the label is readily visible with the Department issued number of the in-state generator and with the date the container was placed in storage or sent offsite, if not stored; and, failure to include on the manifest the Department Identification number.

Action: The Respondent has agreed to: ensure that all infectious wastes are stored properly; ensure that containers of infectious waste offered for transport are labeled; ensure that manifests are prepared with all required information; and, pay a civil penalty in the amount of five thousand, five hundred dollars (\$5,500.00).

Solid Waste Enforcement

16) Order Type and Number: Consent Order 10-42-SW
Order Date: March 16, 2011
Respondent: **CK Materials, LLC**
Facility: CK Materials, LLC
Location/Mailing Address: 48 Old Haig Point Rd., Daufuskie Island, SC 29915/10 Liberty Street, Edison, New Jersey, 08837
County: Beaufort
Previous Orders: None
Permit/ID Number: None
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002), 25A S.C. Code Ann. Reg. 61-107.19 (Supp. 2010), Part I, A.8.

Summary: CK Materials, LLC (Respondent) provides solid waste containers for use at construction sites and operates the waste container business located in Daufuskie Island, South Carolina (Site). The Respondent engaged in open dumping at the Site by emptying containers filled with construction and demolition (C&D) debris onto the ground at the Site.

Action: The Respondent is required to: dispose of the C&D debris properly; provide disposal receipts for the solid waste; and, pay a civil penalty in the amount of five thousand two hundred and fifty dollars (**\$5,250.00**).

- 17) Order Type and Number: Consent Order 10-54-SW
Order Date: March 16, 2011
Respondent: **Land Services of South Carolina, LLC**
Facility: Smart Smalls Property
Location/Mailing Address: 10545Freewoods Rd., Myrtle Beach, SC 29588/P.O. Box 7102, Myrtle Beach, SC 29572
County: Horry
Previous Orders: None
Permit/ID Number: None
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002), 25A S.C. Code Ann. Reg. 61-107.19 (Supp. 2010), Part I, A.8.

Summary: Land Services of South Carolina, LLC (Respondent) operates a demolition and hauling business in Horry County. The Respondent has demolished a hotel in Horry County and disposed of the construction and demolition debris (C&D) and land clearing debris (LCD) at the Smart Smalls property located in Myrtle Beach, South Carolina.

Action: The Respondent is required to: remove all of the approximate forty (40) tractor-trailer loads of C&D debris and LCD disposed; properly dispose of all C&D debris and LCD removed at a permitted facility; submit disposal receipts; and, pay a civil penalty in the amount of five thousand five hundred dollars (**\$5,500.00**) in accordance with a Promissory Note.

- 18) Order Type and Number: Consent Order 10-65-SW
Order Date: March 8, 2011
Respondent: **W. Frazier Construction, Inc.**
Facility: Moberry Road LCD/Woodchipping Facility
Location/Mailing Address: 7050 Moberry Road
Ravenel, South Carolina 29470

County: Charleston
Previous Orders: None
Permit/ID Number: Registration # 102746-3001
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (2002), Solid Waste Management: Yard Trash and Land-Clearing Debris; and Compost Regulation 61-107.4.F.12.b. and Registration # 102746-3001.

Summary: W. Frazier Construction, Inc. (Respondent) owns and operates the Moberry Road LCD/Woodchipping Facility. The Respondent has violated the Solid Waste Management: Yard Trash and Land-Clearing Debris; and Compost Regulation 61-107.4.F.12.b. and Registration # 102746-3001 as follows: failure to submit to the Department the Annual Report for Fiscal Year 2010 by the deadline of October 15, 2010.

Action: The Respondent is required to pay a civil penalty of five hundred dollars (**\$500.00**).

BUREAU OF WATER

Drinking Water Enforcement

19) Order Type and Number: Consent Order 11-009-DW
Order Date: March 2, 2011
Respondent: **Hammie Joe Smith, Individually and d.b.a H.J. Smith Properties**
Facility: H.J. Smith Properties
Location/Mailing Address: 22 River St., Peak, SC 29122/P.O. Box 69, Peak, S.C. 29122
County: Newberry
Previous Orders: None
Permit/ID Number: 3670903
Violations Cited: S.C. Code Ann. Regs. 61-58.5

Summary: Hammie Joe Smith, Individually and d.b.a H.J. Smith Properties (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform.

Action: The Respondent is required to: submit an investigative report to determine the causes of the MCL exceedances; submit a corrective action plan to include proposed steps to address those causes found in the report; and, pay a

stipulated penalty in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

20) Order Type and Number: Consent Order 11-010-DW
Order Date: March 2, 2011
Respondent: **Scotland Yard MHP, Inc.**
Facility: Scotland Yard Mobile Home Park
Location/Mailing Address: 133 Heatherlock Drive
Clover, S.C. 29710
County: York
Previous Orders: None
Permit/ID Number: 4660105
Violations Cited: S.C. Code Ann. Regs. 61-58.7

Summary: Scotland Yard MHP, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations for failure to properly operate and maintain the PWS as follows: the concrete pad surrounding the wellhead was cracked; the well and storage tank were not secured with fencing; the monitoring/record keeping program was incomplete; and the facility grounds were not being maintained.

Action: The Respondent is required to: correct the deficiencies and pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

21) Order Type and Number: Consent Order 11-011-DW
Order Date: March 8, 2011
Respondent: **Town of Timmons ville**
Facility: Town of Timmons ville
Location/Mailing Address: 115 E. Main St., Timmons ville, SC
29161/P.O. Box 447, Timmons ville,
S.C. 29161
County: Florence
Previous Orders: None
Permit/ID Number: 2110005
Violations Cited: S.C. Code Ann. Regs. 61-58.7

Summary: The Town of Timmons ville (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations for failure to properly operate and maintain the PWS as follows: one (1) backflow device at the wastewater plant did not pass inspection; the fire flow and valve/hydrant maintenance programs were incomplete; the water loss for the

system could not be determined; the connection to the elevated storage tank located at the Downtown water plant was not permanently severed to prevent water from entering the tank; a washout inspection was recommended for the Honda and Cale Yarboro tanks; the Main Street tank was in need of refurbishment; and, an annual inspection was not conducted on the elevated storage tanks.

Action: The Respondent is required to: submit a corrective action plan to the Department to include proposed steps to address the deficiencies and pay a **stipulated penalty** in the amount of six thousand dollars (**\$6,000.00**) should the Respondent fail to meet any requirement of the Order.

22)	<u>Order Type and Number:</u>	Consent Order 11-012-DW
	<u>Order Date:</u>	March 23, 2011
	<u>Respondent</u>	Town of Brunson
	<u>Facility:</u>	Town of Brunson
	<u>Location/Mailing Address:</u>	1991 Deer Dr., Brunson, SC 29911/P.O. Box 300, Brunson, S.C. 29911
	<u>County:</u>	Hampton
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	2510004
	<u>Violations Cited:</u>	S.C Code Ann. Regs. 61-58.7

Summary: The Town of Brunson (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations for failure to properly operate and maintain the PWS as follows: there was an opening on the well casing; the blow-off was upstream of the flow meter; the chemical storage room door could not be closed properly; the treatment plant had a small leak at the chemical injection point; there were no scale calibration records; there were three testable back-flow prevention devices that had not been tested; the fire hydrants had not been tested; the elevated storage tank was in need of refurbishment; and, the flushing program, leak detection and repair program, system map, emergency operations plan, and procedures manual were not available for review.

Action: The Respondent is required to: correct the deficiencies and pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

23)	<u>Order Type and Number:</u>	Consent Order 11-013-DW
	<u>Order Date:</u>	March 31, 2011
	<u>Respondent:</u>	Mountain Top Ventures, LLC

Facility: Mountain View Mobile Home Park
Location/Mailing Address: 626 Adriatic Lane
Clover, S.C. 29710
County: York
Previous Orders: None
Permit/ID Number: 2510004
Violations Cited: S.C Code Ann. Regs. 61-58.7

Summary: Mountain Top Ventures, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations for failure to properly operate and maintain the PWS as follows: there was significant erosion around the concrete pad; the electrical conduit was not sealed; the security fence and housing were not secure; the flow meter and pressure gauge were not operational; the sampling spigot and blow-off were leaking; and, the storage tank was in need of refurbishment.

Action: The Respondent is required to: correct the deficiencies and pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

24) Order Type and Number: Consent Order 11-014-DW
Order Date: March 31, 2011
Respondent: **The Golf Club at Star Fort, Inc.**
Facility: The Golf Club at Star Fort
Location/Mailing Address: 2816 Golf Course Rd., Ninety Six,
SC 29666/P.O. Box 448, Ninety Six,
SC 29666
County: Greenwood
Previous Orders: None
Permit/ID Number: 2470875
Violations Cited: S.C. Code Ann. Regs. 61-58.5

Summary: The Golf Club at Star Fort, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform.

Action: The Respondent is required to: submit an investigative report to determine the causes of the MCL exceedances; submit a corrective action plan to include proposed steps to address those causes; and, pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

Water Pollution Enforcement

- 25) Order Type and Number: Consent Order 11-006-W
Order Date: March 23, 2011
Respondent: **Georgetown County School District**
Facility: Pleasant Hill Elementary School
Location/Mailing Address: 2018 Church Street
Georgetown, SC 29440
County: Georgetown
Previous Orders: None
Permit/ID Number: SC0039101
Violations Cited: S.C. Code Ann §§ 48-1-110(d)
(2008) and 24 S.C. Code Ann. Regs. 61-9.122.41(a) and (d) (Supp. 2010).

Summary: Georgetown County School District (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility that serves the Pleasant Hill Elementary School in Georgetown County. The Respondent 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 (NPDES) permit for total copper.

Action: The Respondent is required to: submit a corrective action plan to address the copper violations with schedule of implementation and pay a **suspended penalty** in the amount of four thousand eight hundred dollars (**\$4,800.00**) should the Respondent fail to meet any requirement of the Order.

BUREAU OF AIR QUALITY

- 26) Order Type and Number: Consent Order 11-010-A
Order Date: March 2, 2011
Respondent: **Lane Construction Corporation
d/b/a Rea Contracting, A Division
of Lane Corporation Orangeburg**
Facility: Rea Contracting
Location/Mailing Address: 3176 Charleston Highway, West
Columbia, SC
County: Orangeburg
Previous Orders: None
Permit/ID Number: 9900-0088
Violations Cited: U.S. EPA 40 CFR 60.92 and South
Carolina Air Pollution Control Regulation 61-62.60, Subpart I

Summary: Lane Construction Corporation, d/b/a Rea Contracting, (Respondent) owns and operates a hot mix asphalt plant. The Department issued General Conditional Major Permit 9900-0088 (Permit) to the Respondent effective April 22, 2010. The Respondent violated US EPA Regulations and South Carolina Air Pollution Control Regulations in that it exceeded its permitted particulate matter limit of 0.04 gr/dscf during a June 24, 2010, Department-approved source test.

Action: The Respondent is required to: henceforth comply with the PM emission limit established by the regulations and its Permit; and pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**). The penalty has been paid.

27) Order Type and Number: Consent Order 11-011-A
Order Date: March 2, 2011
Respondent: **Anatoliy Stone Products, Inc.**
Facility: Anatoliy Stone Products, Inc.
Location/Mailing Address: 413 By-Pass 29 North
Anderson, SC
County: Anderson
Previous Orders: None
Permit/ID Number: 0200-0216
Violations Cited: South Carolina Air Pollution Control
Regulation 61-62.2, Prohibition of Open Burning

Summary: Anatoliy Stone Products, Inc. (Respondent) manufactures veneer stones at its facility located in Anderson, South Carolina. The Respondent violated South Carolina Air Pollution Control Regulations in that it burned materials other than those allowed by the regulations.

Action: The Respondent is required to: cease all open burning, except as allowed by the regulation; pay a civil penalty in the amount of six hundred dollars (**\$600.00**); and, pay a suspended penalty in the amount of five thousand four hundred dollars (\$5,400.00) should the Respondent fail to meet any requirements of the order. The penalty has been paid.

28) Order Type and Number: Consent Order 11-012-A
Order Date: March 2, 2011
Respondent: **Hubbard Paving & Grading, Inc.**
Facility: Hubbard Paving & Grading, Inc.
Location/Mailing Address: 698 Roack Crusher Road, Walhalla,
SC
County: Oconee
Previous Orders: None

Permit/ID Number: 9900-0287
Violations Cited: U.S. EPA 40 CFR 60.92 and South Carolina Air Pollution Control Regulation 61-62.60, Subpart I

Summary: Hubbard Paving & Grading (Respondent) owns and operates a hot mix asphalt plant. The Department issued General Conditional Major Permit 9900-0287 (Permit) to the Respondent, effective April 1, 2007. The Respondent violated US EPA Regulations and South Carolina Air Pollution Control Regulations in that it exceeded its permitted particulate matter limit (PM) of 0.04gr/dscf during a July 28, 2010, Department-approved source test.

Action: The Respondent is required to: henceforth comply with the PM emission limit established by the regulations and its Permit and pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**). The penalty has been paid.

29) Order Type and Number: Consent Order 11-013-A
Order Date: March 2, 2011
Respondent: **Sandhills Volunteer Fire Department**
Facility: Sandhills Volunteer Fire Department
Location/Mailing Address: 2496 Sandhills VFD Road
Jefferson, SC 29718/PO Box 231
Jefferson, SC 29718
County: Chesterfield
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. EPA Regulations at 40 CFR 61.145, South Carolina Air Pollution Control Regulation 61-86.1, Sections V and X, and South Carolina Air Pollution Control Regulation 61-62.2, Prohibition of Open Burning

Summary: Sandhills Volunteer Fire Department (Respondent) is a non-profit entity located within Chesterfield County, South Carolina. The Respondent violated U.S. EPA Regulations and South Carolina Air Pollution Control Regulations as follows: failed to obtain approval from the Department prior to setting a fire for the purpose of fire-fighter training; failed to ensure that a building inspection was performed to identify the presence, location and estimated quantity of asbestos-containing material prior to beginning demolition activities; failed to submit a written notice of intent to demolish to the Department at least 10 working days prior to beginning demolition activities; and failed to obtain a Department-issued asbestos project license prior to beginning demolition activities.

Action: The Respondent is required to: cease open burning, except in accordance with South Carolina Air Pollution Control Regulation 61-62.2; ensure

that an asbestos building inspection is performed by a Department-licensed buliding inspector prior to any future renovation or demolition operation, including burning for purposes of fire-fighter training; ensure that all applicable notifications involving fire-fighter training are submitted and the appropriate approvals are obtained; complete cleanup of the site including removal of the remains of a mobile home and all potential contaminated debris; pay a civil penalty in the amount of seven hundred dollars (**\$700.00**); and, pay a suspended penalty in the amount of six thousand three hundred dollars (\$6,300.00) should the Respondent fail to meet any requirement of the Order.

30) Order Type and Number: Consent Order 11-014-A
Order Date: March 31, 2011
Respondent: **Total Tree Care, Inc.**
Facility: Total Tree Care, Inc.
Location/Mailing Address: 928 Knollwood Court
Murrells Inlet, SC 29576/PO Box
3664, Pawleys Island, SC 29585
County: Georgetown
Previous Orders: None
Permit/ID Number: 1140-0064
Violations Cited: U.S. EPA Regulations 40 CFR Part
70.5 and South Carolina Air Pollution Control Regulation 61-62

Summary: Total Tree Care, Inc. (Respondent) operates an air-curtain incinerator (ACI) for the disposal of wood-waste debris generated at the True Blue Golf Course in Pawleys Island, South Carolina. The Department issued Synthetic Minor/NSPS Construction Permit 1140-0064-CA to the Respondent, effective July 3, 2007. The Respondent violated U.S. EPA Regulations at 40 CFR Part 70 and South Carolina Air Pollution Control Regulations as follows: failed to conduct a Department-approved source test to demonstrate compliance with the applicable opacity standards within 180 calendar days of initial startup; failed to conduct annual opacity tests and submit those results to the Department; and failed to submit an application to the Department to obtain a Title V Operating Permit.

Action: The Respondent is required to: conduct a Department-approved source test to demonstrate compliance with opacity limitations within thirty (30) days of the execution of the Order; conduct annual opacity performance tests no later than 12 months following the date of the previous test and report the results to the Department; comply with the conditions of the Permit; submit all reports, applications and other notifications; and, pay a civil penalty in the amount of nine thousand dollars (**\$9,000.00**) payable in six (6) equal payments of one thousand five hundred dollars (\$1,500.00) each.

BUREAU OF ENVIRONMENTAL HEALTH

Food Protection Enforcement

31) Order Type and Number: Environmental Health Order
2011-206-03-009
Order Date: March 7, 2011
Respondent: **Rick Patel d/b/a London I, LLC**
Facility: POSH
Location/Mailing Address: 1400 Main Street
Columbia, SC 29201
County: Richland
Previous Orders: None
Permit/ID Number: 40-206-6064
Violations Cited: R.61-25, Retail Food Establishments,
Chapter IV.A.4

Summary: Rick Patel d/b/a London I, LLC (Respondent) owns POSH, a retail food establishment located in the Sheraton Hotel at 1400 Main Street, Columbia, South Carolina, that has violated Regulation 61-25, Retail Food Establishments by not providing adequate hot water.

Action: The Respondent was ordered to correct the violation and assessed a civil penalty in the amount of five hundred dollars (**\$500.00**).

32) Order Type and Number: Environmental Health Order
2011-206-03-010
Order Date: March 11, 2011
Respondent: **Rick Patel d/b/a London I, LLC**
Facility: Main Street
Location/Mailing Address: 1400 Main Street
Columbia, SC 29201
County: Richland
Previous Orders: None
Permit/ID Number: 40-206-6063
Violations Cited: R.61-25, Retail Food Establishments,
Chapter IV.A.4

Summary: Rick Patel d/b/a London I, LLC (Respondent) owns Main Street, a retail food establishment located in the Sheraton Hotel at 1400 Main Street, Columbia, South Carolina, that has violated Regulation 61-25, Retail Food Establishments by not providing adequate hot water.

Action: The Respondent was ordered to correct the violation and assessed a civil penalty in the amount of five hundred dollars (**\$500.00**).

33) Order Type and Number: Environmental Health Order
2011-206-03-011
Order Date: March 9, 2011
Respondent: **Rick Patel d/b/a London I, LLC**
Facility: Vault
Location/Mailing Address: 1400 Main Street
Columbia, SC 29201
County: Richland
Previous Orders: None
Permit/ID Number: 40-206-6066
Violations Cited: R.61-25, Retail Food Establishments,
Chapter IV.A.4

Summary: Rick Patel d/b/a London I, LLC (Respondent) owns Vault, a retail food establishment located in the Sheraton Hotel at 1400 Main Street, Columbia, South Carolina, that has violated Regulation 61-25, Retail Food Establishments by not providing adequate hot water.

Action: The Respondent was ordered to correct the violation and assessed a civil penalty in the amount of five hundred dollars (**\$500.00**).

34) Order Type and Number: Environmental Health Order
2011-206-03-012
Order Date: March 11, 2011
Respondent: **Rick Patel d/b/a London I, LLC**
Facility: Starbucks
Location/Mailing Address: 1400 Main Street
Columbia, SC 29201
County: Richland
Previous Orders: None
Permit/ID Number: 40-206-6065
Violations Cited: R.61-25, Retail Food Establishments,
Chapter IV.A.4

Summary: Rick Patel d/b/a London I, LLC (Respondent) owns Starbucks, a retail food establishment located in the Sheraton Hotel at 1400 Main Street, Columbia, South Carolina, that has violated Regulation 61-25, Retail Food Establishments by not providing adequate hot water.

Action: The Respondent was ordered to correct the violation and assessed a civil penalty in the amount of five hundred dollars (**\$500.00**).

35) Order Type and Number: Environmental Health Order
2011-206-03-013
Order Date: March 23, 2011
Respondent: **Domino's Pizza, Inc.**

Facility: Domino's Pizza
Location/Mailing Address: 7400 Garners Ferry Road, Columbia,
SC 29209/323 Resource Pkwy,
Winder, GA 30680
County: Richland
Previous Orders: None
Permit/ID Number: 40-206-06086
Violations Cited: R.61-25, Retail Food Establishments,
Chapter II.C.

Summary: Domino's Pizza, Inc. (Respondent) owns Domino's Pizza, a retail food establishment located at 7400 Garners Ferry Road, Columbia, South Carolina, that has violated Regulation 61-25, Retail Food Establishments by not holding food at proper temperatures for at least two consecutive routine inspections.

Action: The Respondent was ordered to correct the violation and assessed a civil penalty in the amount of five hundred dollars (**\$500.00**). The violation has been corrected and the penalty has been paid, the case was closed on April 7, 2011.

36) Order Type and Number: Environmental Health Order
2011-206-03-014
Order Date: March 23, 2011
Respondent: **Bangkok**
Facility: Bangkok
Location/Mailing Address: 7509 Garner's Ferry Road
Columbia, SC 29209
County: Richland
Previous Orders: None
Permit/ID Number: 40-206-03245
Violations Cited: R.61-25, Retail Food Establishments,
Chapter II.C.

Summary: Bangkok (Respondent) is a retail food establishment, located at 7509 Garner's Ferry Road, Columbia, South Carolina, that has violated Regulation 61-25, Retail Food Establishments by not holding food at proper temperatures for at least two consecutive routine inspections.

Action: The Respondent was ordered to correct the violation and assessed a civil penalty in the amount of five hundred dollars (**\$500.00**). The violation has been corrected and the penalty has been paid, the case was closed on April 7, 2011.

37) Order Type and Number: Environmental Health Order
2011-206-03-015
Order Date: March 23, 2011
Respondent: **Carrabba's Italian Grill**
Facility: Carrabba's Italian Grill
Location/Mailing Address: 200 Graces Way, Columbia, SC
29209/2202 N Westshore Blvd., 5th
Floor, Tampa, FL 33607
County: Richland
Previous Orders: None
Permit/ID Number: 40-206-05392
Violations Cited: R.61-25, Retail Food Establishments,
Chapter II.C.

Summary: Carrabba's Italian Grill (Respondent) is a retail food establishment, located at 200 Graces Way, Columbia, South Carolina, that has violated Regulation 61-25, Retail Food Establishments by not holding food at proper temperatures for at least two consecutive routine inspections.

Action: The Respondent was ordered to correct the violation and assessed a civil penalty in the amount of five hundred dollars (**\$500.00**). The violation has been corrected and the penalty has been paid; the case was closed on April 18, 2011.

38) Order Type and Number: Environmental Health Order
2011-206-03-016
Order Date: March 23, 2011
Respondent: **Xiaolan Wang**
Facility: M Cafe
Location/Mailing Address: 1317 Sumter Street
Columbia, SC 29201
County: Richland
Previous Orders: None
Permit/ID Number: 40-206-04391

Violations Cited:
Chapter II.C.

R.61-25, Retail Food Establishments,

Summary: Xiaolan Wang (Respondent) owns and operates M Café, a retail food establishment located at 1317 Sumter Street, Columbia, South Carolina, that has violated Regulation 61-25, Retail Food Establishments by not holding food at proper temperatures for at least two consecutive routine inspections.

Action: The Respondent was ordered to correct the violation and assessed a civil penalty in the amount of five hundred dollars (**\$500.00**). The violation has been corrected and the penalty has been paid, the case was closed on April 1, 2011.

39) Order Type and Number: Environmental Health Order
2011-206-07-004
Order Date: March 24, 2011
Respondent: **Oyster III**
Facility: Noisy Oyster
Location/Mailing Address: 24 N Market Street
Charleston, SC 29401
County: Charleston
Previous Orders: None
Permit/ID Number: 10-206-0500
Violations Cited: R.61-25, Retail Food Establishments,
Chapter II.C.

Summary: Oyster III (Respondent), owns and operates Noisy Oyster, a retail food establishment located at 24 N Market Street, Charleston, South Carolina, that has violated Regulation 61-25, Retail Food Establishments by not holding food at proper temperatures for at least two consecutive routine inspections.

Action: The Respondent was ordered to correct the violation and assessed a civil penalty in the amount of five hundred dollars (**\$500.00**). The violation has been corrected and the penalty has been paid, the case was closed on April 5, 2011.