

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT**  
**BOARD OF HEALTH AND ENVIRONMENTAL CONTROL**  
**May 8, 2014**

**BUREAU OF LAND AND WASTE MANAGEMENT**

**Underground Storage Tank Enforcement**

- 1)     Order Type and Number:             Administrative Order 13-0319-UST  
       Order Date:                         February 16, 2014  
       Respondent:                         **Boones Barn, Inc.**  
       Facility:                             Jetco  
       Location:                             420 South Congress Street,  
   Winnsboro, SC 29180  
  
       Mailing Address:                     407 North Congress Street,  
   Winnsboro, SC 29180  
  
       County:                                 Fairfield  
       Previous Orders\*:                     None  
       Permit/ID Number:                 03185  
       Violations Cited:                     State     Underground     Petroleum  
   Environmental Response Bank Act of 1988 (SUPERB Act) Section 44-2-  
   60(A) (2013); the South Carolina Underground Storage Tank Control  
   Regulation 61-92.280.93(a) (2012); and, R.61-92.280.110(c) (2012).

Summary: Boones Barn, Inc. (Respondent) owns underground storage tanks (USTs) in Fairfield County, South Carolina. On May 16, 2013, a Notice of Alleged Violation (NOAV) was issued as a result of a file review. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failed to demonstrate financial responsibility; failed to submit updated financial responsibility documentation upon expiration of the previous mechanism; and, failed to pay the Department annual UST registration fees for fiscal year 2014.

Action: The Respondent is required to: submit a completed Certificate of Financial Responsibility and proof of mechanism; pay annual tank registration fees and associated late fees in the amount of one thousand, four hundred fifty-two dollars (\$1,452.00); and, pay a civil penalty in the amount of three thousand, one hundred dollars (**\$3,100.00**).

- 2)     Order Type and Number:             Administrative Order 13-0400-UST  
       Order Date:                         February 5, 2014  
       Respondent:                         **Albert Rollings**

Facility: City Service  
Location Address: 204 South Main Street  
Jefferson, SC  
Mailing Address: P.O. Box 141  
Jefferson, SC 29718-0141  
County: Chesterfield  
Previous Orders: 10-0182-UST (\$600.00),  
AO 11-0072-UST (\$21,055.00)  
Permit/ID Number: 02300  
Violations Cited: State Underground Petroleum  
Environmental Response Bank Act of 1988 (SUPERB Act), (2002 and  
Supp. 2012), and the South Carolina Underground Storage Tank Control  
Regulation 61-92.280.34(c), R.61-92.280.40(a), R.61-92.280.43(d), R.61-  
92.280.93(a), and R.61-92.280.110(c) (Supp. 2012).

Summary: Albert Rollings (Respondent) owns underground storage tanks, located in Jefferson, South Carolina. On July 16, 2012, a Notice of Alleged Violation was issued as a result of non-compliance at the Facility. On October 14, 2013, a Notice of Alleged Violation was issued as a result of a routine inspection conducted at the Facility. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failed to provide records upon request; failed to provide adequate release detection methods; failed to conduct proper release detection using an automatic tank gauge; failed to demonstrate financial responsibility; and, failed to submit financial responsibility documentation to the Department upon request.

Action: The Respondent is required to: submit a completed Certificate of Financial Responsibility and proof of mechanism; submit acceptable tank tightness test results for all USTs; submit proof that the USTs have been emptied to less than one inch of residue; and, pay a civil penalty in the amount of six thousand, nine hundred fifty dollars (**\$6,950.00**).

3) Order Type and Number: Administrative Order 12-0524-UST  
Order Date: February 20, 2014  
Respondent: **Adam C. Lynn and Victoria L. Ingram**  
Facility: Lynn Property  
Location: Highway 9, Fort Lawn, SC  
Mailing Address: 5775 and 5956A Hightower Road  
Fort Lawn, SC 29714-8607  
County: Chester  
Previous Orders: CA 10-0289-UST  
Permit/ID Number: 18493  
Violations Cited: State Underground Petroleum  
Environmental Response Bank Act of 1988 (SUPERB Act) (2012), and

the South Carolina Underground Storage Tank Control Regulation 61-92.280.34(c), and R.61-92.280.65 (2012).

Summary: Adam C. Lynn and Victoria L. Ingram (Respondents) owned underground storage tanks, located in Fort Lawn, South Carolina. The Respondent failed to submit a Quality Assurance Project Plan Addendum (QAPPA) and subsequent Tier I Assessment Report by September 9, 2012, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failed to determine the full extent of a release in accordance with a schedule established by the Department and failed to provide records to the Department upon request.

Action: The Respondents are required to: submit a Quality Assurance Project Plan Addendum for a Tier I Assessment; submit a Tier I Assessment Report after approval of the QAPPA; and, pay a civil penalty in the amount of fourteen thousand, seven hundred fifty dollars (**\$14,750.00**).

- 4) Order Type and Number: Administrative Order 13-0241-UST  
Order Date: February 24, 2014  
Respondent: **Bhingradia, LLC**  
Facility: Bhingradia, LLC  
Location: 25394 Hwy 76  
Clinton, SC 29325  
Mailing Address: 1967 Pine Lake Court,  
Grayson, GA 30017  
County: Laurens  
Previous Orders: None  
Permit/ID Number: 05666  
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) Section 44-2-60(A) (2012); and, the South Carolina Underground Storage Tank Control Regulation R.61-92.280.31(a); and, R.61-92.280.31(c) (2012).

Summary: Bhingradia, LLC (Respondent) owns underground storage tanks (USTs) in Laurens County, South Carolina. On August 1, 2013, a Notice of Alleged Violation (NOAV) was issued as a result of a file review, and on September 20, 2013, a separate NOAV was issued as a result of a routine compliance inspection. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failed to operate and maintain corrosion protection equipment continuously; failed to inspect an impressed current system every sixty (60) days; and, failed to pay to the Department annual underground storage tank registration fees.

Action: The Respondent is required to: submit a sixty (60) day impressed current log from October 2012 to September 2013, and if the impressed current

log cannot be provided, perform a corrosion protection test and submit a copy of the results; pay annual tank registration fees and associated late fees for fiscal year 2014 in the amount of one thousand, eighty-nine dollars (\$1,089.00); and, pay a civil penalty in the amount of two thousand, one hundred dollars (**\$2,100.00**).

- 5)     Order Type and Number:             Administrative Order 13-0252-UST  
       Order Date:                     March 7, 2014  
       Respondent:                     **Mike Jones**  
       Facility:                       Five Forks Grocery  
       Location:                       1204 Coffee Road  
  Westminster, SC 29693  
  
       Mailing Address:               136 Alice Lane  
  Westminster, SC 29693  
  
       County:                         Oconee  
       Previous Orders:               None  
       Permit/ID Number:           06712  
       Violations Cited:            State     Underground     Petroleum  
       Environmental Response Bank Act of 1988 (SUPERB Act) Section 44-2-60(A) (2012); and, the South Carolina Underground Storage Tank Control Regulation R.61-92.280.34(c); R.61-92.280.40(a); R.61-92.280.43(d); R.61-92.280.45(b)(1); R.61-92.280.93(a); and, R.61-92.280.110(c)(2012).

Summary: Mike Jones (Respondent) owns underground storage tanks (USTs) in Oconee County, South Carolina. On August 2, 2013, and October 16, 2013, Notices of Alleged Violation (NOAV) were issued as a result of file reviews. On November 13, 2013, a NOAV was issued as a result of a routine compliance inspection. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failed to demonstrate financial responsibility; failed to submit updated financial responsibility documentation upon expiration of the previous mechanism; failed to provide records to the Department upon request; failed to provide an adequate release detection method; failed to conduct proper release detection using an automatic tank gauge; failed to maintain sampling, testing, or monitoring records for at least one year; and, failed to pay to the Department annual underground storage tank registration fees.

Action: The Respondent is required to: submit the previous twelve consecutive months of passing automatic tank gauge records or perform tank tightness tests and submit a copy of the results; submit a completed Certificate of Financial Responsibility and proof of financial responsibility mechanism; pay annual tank registration fees and associated late fees for fiscal year 2014 in the amount of three hundred sixty three dollars (\$363.00); and, pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**).

6) Order Type and Number: Administrative Order 13-0311-UST  
Order Date: February 24, 2014  
Respondent: **Carmichael Enterprises, Inc.**  
Facility: Precision Automotive Repair  
Location: 529 South Main Street, Marion,  
South Carolina, 29571  
Mailing Address: PO Box 450, Marion, South  
Carolina, 29571-0450  
County: Marion  
Previous Orders: None  
Permit/ID Number: 06284  
Violations Cited: State Underground Petroleum  
Environmental Response Bank Act of 1988 (SUPERB Act) Section 44-2-  
60(A) (2012); and, the South Carolina Underground Storage Tank Control  
Regulation R.61-92.280.93(a); and, R.61-92.280.110(c) (2012).

Summary: Carmichael Enterprises, Inc. (Respondent) owns underground storage tanks (USTs) in Marion County, South Carolina. On June 27, 2013, a Notice of Alleged Violation (NOAV) was issued as a result of a routine compliance inspection, and on August 6, 2013, a separate NOAV was issued as a result of a file review. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failed to demonstrate financial responsibility; failed to submit updated financial responsibility documentation upon expiration of the previous mechanism; and, failed to pay to the Department annual underground storage tank registration fees.

Action: The Respondent is required to: submit a completed Certificate of Financial Responsibility and proof of financial responsibility mechanism; pay annual tank registration fees and associated late fees for fiscal year 2014 in the amount of seven hundred twenty-six dollars (\$726.00); and, pay a civil penalty in the amount of three thousand, one hundred dollars (**\$3,100.00**).

7) Order Type and Number: Consent Order 13-0340-UST  
Order Date: February 20, 2014  
Respondent: **Gerald Rhynes**  
Facility: Delta Oil Company  
Location: 13516 Highway 9 West  
Chesterfield, SC 29709  
Mailing Address: 6191 Highway 52 North  
Cheraw, SC 29520  
County: Chesterfield  
Previous Orders: None  
Permit/ID Number: 11757  
Violations Cited: South Carolina Underground Storage  
Tank Control Regulation 61-92.280.31(b)(1) (2012).

Summary: Gerald Rhynes (Respondent) owns and operates underground storage tanks (USTs) in Chesterfield County, South Carolina. On July 17, 2013, a Notice of Alleged Violation (NOAV) was issued as a result of a routine compliance inspection. The Respondent violated the South Carolina Underground Storage Tank Control Regulations as follows: failed to have the corrosion protection (CP) system tested at least every three (3) years by a qualified tester.

Action: The Respondent is required to: submit a current CP system test and pay a civil penalty in the amount of four hundred fifty dollars (**\$450.00**).

8) Order Type and Number: Consent Order 13-0351-UST  
Order Date: March 13, 2014  
Respondent: **Tribbles Superette, Inc.**  
Facility: Tribbles Superette, Inc.  
Location: 924 S Mechanic Street, Pendleton,  
SC 29670  
Mailing Address: 924 S Mechanic Street, Pendleton,  
SC 29670  
County: Anderson  
Previous Orders: None  
Permit/ID Number: 18531  
Violations Cited: The South Carolina Underground  
Storage Tank Control Regulation 61-92.280.34(c); 61-92.280.40(a); 61-  
92.280.43(d); 61-92.280.45(b)(1); 61-92.280.93(a); and, 61-92.280.110(c)  
(2012).

Summary: Tribbles Superette, Inc. (Respondent) owns and operates underground storage tanks (USTs) in Anderson County, South Carolina. On June 25, 2013, a Notice of Alleged Violation (NOAV) was issued as a result of a routine compliance inspection. The Respondent violated the South Carolina Underground Storage Tank Control Regulations as follows: failed to provide records to the Department upon request; failed to provide an adequate release detection method for a UST system; failed to conduct proper release detection using an automatic tank gauge; failed to maintain sampling, testing, or monitoring records for at least one year; failed to demonstrate financial responsibility upon expiration of the previous mechanism; and, failed to submit updated financial responsibility documentation upon expiration of the previous mechanism.

Action: The Respondent is required to: submit tank tightness tests for both compartments of the UST; submit proof that both the compartments of the UST have been emptied so that no more than one (1) inch of residue remains in the tank; submit a completed Certificate of Financial Responsibility and proof of financial responsibility mechanism; and, pay a civil penalty in the amount of two thousand, four hundred seventy-five dollars (**\$2,475.00**).



Location: 8701 Palmetto Commerce Parkway  
Ladson, SC 29456  
Mailing Address: Same  
County: Charleston  
Previous Orders: None  
Permit/ID Number: SCR 000 773 143  
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2); The South Carolina Hazardous Waste Management Regulations R.61-79.262.41 (a).

Summary: Venture Aerobearings, LLC (Respondent) owns and operates a facility in Ladson, South Carolina. A violation was issued on November 18, 2014, as a result of a Department review of the Respondent's records. The Respondent violated the Hazardous Waste Management Regulations as follows: failed to submit a quarterly report no later than thirty days after the end of the calendar quarter.

Action: The Respondent has agreed to: submit a quarterly report in accordance with the regulations; submit a 3<sup>rd</sup> Quarterly Hazardous Waste Report for 2013; and, pay a civil penalty in the amount of six hundred dollars (**\$600.00**).

11) Order Type and Number: Consent Order 14-03-HW  
Order Date: March 7, 2014  
Respondent: **Delavan Spray Technologies**  
Facility: Delavan Spray Technologies  
Location: Hwy 301 South,  
Bamberg, SC 29003  
Mailing Address: 4334 Main Hwy  
Bamberg, SC 29003  
County: Bamberg  
Previous Orders: None  
Permit/ID Number: SCD 078 061 124  
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2); The South Carolina Hazardous Waste Management Regulation 61-79.262.41 (a).

Summary: Delavan Spray Technologies (Respondent) owns and operates a facility in Bamberg, South Carolina. A violation was issued on November 18, 2014, as a result of a Department review of the Respondent's records. The Respondent violated the Hazardous Waste Management Regulations as follows: failed to submit a quarterly report no later than thirty days after the end of the calendar quarter.



Action: The Respondent has agreed to: submit a quarterly report in accordance with the regulations; submit a 3<sup>rd</sup> Quarterly Hazardous Waste Report for 2013; and, pay a civil penalty in the amount of six hundred dollars (**\$600.00**).

### **Mining and Solid Waste Enforcement**

- 12) Order Type and Number: Consent Order 14-02-MSWM  
Order Date: March 13, 2014  
Respondent: **Gene Bonnett d.b.a. Bonnett Hauling and Land Clearing Co.**  
Facility: TMS #257-00-04-002 (unpermitted)  
Location: Intersection of Bonnett and Becks Road, Aiken, SC, 29803  
Mailing Address: 402 Talatha Church Road  
Aiken, SC 29803  
County: Aiken  
Previous Orders: None  
Permit/ID Number: N/A  
Violations Cited: South Carolina Mining Act (Rv. 2008) and South Carolina Mining Regulation (Supp. 2012).

Summary: Gene Bonnett d.b.a. Bonnett Hauling and Land Clearing Company (Respondent) performed mining activities at TMS #257-00-04-002, located in Aiken, SC. On August 28, 2013, the Department conducted an inspection at the facility. The Respondent violated the South Carolina Mining Regulations as follows: engaged in mining without first obtaining an operating permit from the Department.

Action: The Respondent is required to: comply with a cease and desist order until such time as a General Mine Operating Permit is issued and effective and pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

### **BUREAU OF WATER**

#### **Drinking Water Enforcement**

- 13) Order Type and Number: Consent Order 14-018-DW  
Order Date: February 5, 2014  
Respondent: **Sea Pines Country Club, Inc.**  
Facility: Sea Pines Country Club  
Location: 30 Governors Road

Mailing Address: Hilton Head, SC 29928  
County: Same  
Previous Orders: Beaufort  
Permit/ID Number: None  
Violations Cited: 07-415-1  
S.C. Code Ann. Regs. 61-51(J)

Summary: Sea Pines Country Club, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On February 25, 2013, July 26, 2013, and November 1, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards; the pH level was not within the acceptable range of water quality standards; and, the bound and numbered log book was not maintained on a daily basis.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of two thousand, four hundred dollars (**\$2,400.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

14) Order Type and Number: Consent Order 14-019-DW  
Order Date: February 5, 2014  
Respondent: **York County**  
Facility: York County West Water District  
Location: 220 Public Works Road  
York, SC 29745  
Mailing Address: P.O. Box 120  
York, SC 29745  
County: York  
Previous Orders: None  
Permit/ID Number: 4620003  
Violations Cited: S.C. Code Ann. Regs. 61-58.5.P(2)

Summary: York County (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On September 3, 2013, and December 5, 2013, a violation was issued as a result of monitoring records received by the Department. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for trihalomethanes (TTHM).

Action: The Respondent is required to: submit an investigative report to determine the causes of the MCL violations and 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.

- 15) Order Type and Number: Consent Order 14-020-DW  
Order Date: February 5, 2014  
Respondent: **E.H. Brown, Individually and  
d.b.a. Hideaway Mobile Home  
Park**  
Facility: Hideaway Mobile Home Park  
Location: 159 Weaver Drive  
Lexington, SC 29072  
Mailing Address: 4500 Briarfield Road  
Columbia, SC 29206  
County: Lexington  
Previous Orders: None  
Permit/ID Number: 3260127  
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F, 61-  
58.5.G(2)(e), 61-58.G(2)(a), and 61-58.6.E(1)(b)

Summary: E.H. Brown, Individually and d.b.a. Hideaway Mobile Home Park (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On August 23, 2013, and October 24, 2013, violations were issued as a result of monitoring records received by the Department; and, on December 4, 2013, a violation was issued as a result of a Department review of the reporting records. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform; and the Respondent failed to collect at least five routine samples during the next month the PWS provided water to the public following a total coliform positive sample; failed to collect four repeat samples within twenty-four hours of notification of a total coliform positive sample; and, failed to collect, within twenty-four hours of notification of a total coliform positive sample, at least one ground water source sample from each ground water source in use at the time the total coliform positive sample was collected.

Action: The Respondent is required to: immediately begin conducting monthly microbiological monitoring of the PWS and submitting the results to the Department as required; submit a standard operating procedure to ensure that all monitoring and reporting requirements are complied with; submit an investigative report to determine the causes of the MCL violations and a corrective action plan to include proposed steps to address those causes; pay to the Department a civil penalty in the amount of three thousand four hundred dollars (**\$3,400.00**); and, pay a stipulated penalty in the amount of twelve thousand dollars (\$12,000.00) should the Respondent fail to meet any requirement of the Order.

16) Order Type and Number: Consent Order 14-021-DW  
Order Date: February 11, 2014  
Respondent: **Rung, LLC**  
Facility: Country Inn & Suites  
Location: 2450 Boundary Street  
Beaufort, SC 29906  
Mailing Address: P.O. Box 4236  
Beaufort, SC 29903  
County: Beaufort  
Previous Orders: 13-025-DW (\$1,680.00)  
Permit/ID Number: 07-1017B  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Rung, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On February 5, 2013, July 12, 2013, and November 6, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the plaster on the pool floor was delaminated and had sharp edges; the current pool operator of record information was not posted; the gate did not self close and latch; the pH level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; and, the bound and numbered log book was not maintained on a daily basis.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of three thousand, six hundred dollars (**\$3,600.00**).

17) Order Type and Number: Consent Order 14-022-DW  
Order Date: February 11, 2014  
Respondent: **Rural Water, Inc.**  
Facility: Harless-Seymour Subdivision  
Location: Seymour Road  
Greenwood, SC 29646  
Mailing Address: P.O. Box 359  
Ware Shoals, SC 29692  
County: Greenwood  
Previous Orders: None  
Permit/ID Number: 2450016  
Violations Cited: S.C. Code Ann. Regs. 61-58.7

Summary: Rural Water, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On November 1, 2013, the PWS was inspected and rated unsatisfactory for failure to properly operate and maintain. The Respondent has violated the State Primary

Drinking Water Regulations as follows: the well casing did not extend at least twelve inches above the concrete pad; the concrete pad was cracked and did not have a minimum radius of three feet; the bottom of the storage tank was beginning to rust and had several small pinhole leaks; and there was insufficient data to determine reliable capacity.

Action: The Respondent is required to: submit a corrective action plan to include proposed steps 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.

18) <u>Order Type and Number:</u>	Consent Order 14-023-DW
<u>Order Date:</u>	February 20, 2014
<u>Respondent:</u>	<b>Paul Riley and Beverly Riley, Individually and d.b.a. Riley Residential Care</b>
<u>Facility:</u>	Riley Residential Care
<u>Location:</u>	2327 Brian Christopher Road Great Falls, SC 29055
<u>Mailing Address:</u>	613 Dallas Street Chester, SC 29706
<u>County:</u>	Chester
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	1270001
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7 & 61-58.5.F

Summary: Paul Riley and Beverly Riley, Individually and d.b.a. Riley Residential Care (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On October 18, 2013, a violation was issued as a result of monitoring records received by the Department; and on November 18, 2013, the PWS was inspected and rated unsatisfactory for failure to properly operate and maintain. The Respondent has violated the State Primary Drinking Water Regulations as follows: exceedances of the maximum contaminant level (MCL) for total coliform; there were several cracks in the concrete pad around the well casing; the well house was deteriorated and did not have a lock and key; the wellhead and storage tank piping was rusted; valve/hydrant maintenance had not been recorded; the flushing program, system map, and leak detection and repair records were not available for Department review; the emergency plan was incomplete; there was improper drainage around Well 1; the snifter valve on the wellhead piping did not have a cap; the blow-off was plugged and did not extend outside of the well house; and, there was an old drinking water well (Well 2) that was not connected to the PWS, has not been used for several years, and has not been abandoned.

Action: The Respondent is required to: correct all of the deficiencies and contact the Department to schedule an inspection to verify that the deficiencies have been corrected; properly abandon Well 2; submit an investigative report to determine the causes of the MCL violations and a corrective action plan to include proposed steps to address those causes; and, pay a **stipulated penalty** in the amount of eight thousand dollars (**\$8,000.00**) should the Respondent fail to meet any requirement of the Order.

19) Order Type and Number: Consent Order 14-024-DW  
Order Date: February 24, 2014  
Respondent: **Daufuskie Island Utility Company, Inc.**  
Facility: Daufuskie Island Club  
Location: 10 Haig Point Circle  
Hilton Head, SC 29938  
Mailing Address: 9688 Speedway Boulevard  
Hardeeville, SC 29927  
County: Beaufort  
Previous Orders: None  
Permit/ID Number: 0750043  
Violations Cited: S.C. Code Ann. Regs. 61-58.7

Summary: Daufuskie Island Utility Company, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On December 27, 2013, the PWS was inspected and rated unsatisfactory for failure to properly operate and maintain. The Respondent has violated the State Primary Drinking Water Regulations as follows: the chlorine alarms at Well 1 and Well 2 were not working; the chlorine scales at Well 1, Well 2, Well 3, and Well 4 had not been calibrated; the testable back flow prevention devices had not been tested for 2013; and, the storage tanks located at Well 1, Well 2, and Well 4 had significant pain blistering and rusting.

Action: The Respondent is required to: submit a corrective action plan to include proposed steps 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.

20) Order Type and Number: Consent Order 14-025-DW  
Order Date: March 18, 2014  
Respondent: **Lake View, LLC**  
Facility: Lakeview Mobile Home Park  
Location: 20 Towne Drive  
Bluffton, SC 29910  
Mailing Address: Same

County: York  
Previous Orders: None  
Permit/ID Number: 0760001  
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F, 61-58.16.E(1)(b), and 61-58.6.B(1)

Summary: Lake View, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On November 8, 2013, and November 26, 2013, violations were issued as a result of monitoring records received by the Department; and on October 24, 2013, a violation was issued as a result of a Department review of the Respondent's records. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform; and the Respondent failed to submit to the Department, a copy of the public notice issued to the customers of the PWS for the total coliform MCL violations, and failed to collect within twenty-four (24) hours of notification of a total coliform positive sample, at least one ground water source sample from each ground water source in use at the time the total coliform positive sample was collected.

Action: The Respondent is required to: immediately begin conducting monthly microbiological monitoring of the PWS and submitting the results to the Department as required; submit a standard operating procedure to ensure that all monitoring and reporting requirements are complied with; submit an investigative report to determine the causes of the MCL violations and a corrective action plan to include proposed steps to address those causes; pay a civil penalty in the amount of three thousand four hundred dollars (**\$3,400.00**); and, pay a stipulated penalty in the amount of five thousand one hundred dollars (\$5,100.00) should the Respondent fail to meet any requirement of the Order. The civil penalty has been paid.

21) Order Type and Number: Consent Order 14-026-DW  
Order Date: March 7, 2014  
Respondent: **The Town of Lamar**  
Facility: The Town of Lamar  
Location: Pearl Street  
Lamar, SC 29069  
Mailing Address: P.O. Box 267  
Lamar, SC 29069  
County: Darlington  
Previous Orders: None  
Permit/ID Number: 1610004  
Violations Cited: S.C. Code Ann. Regs. 61-58.5.H

Summary: The Town of Lamar (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On December 3, 2013, and January 14, 2014, a violation was issued as a result of monitoring records received by the Department. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for combined radium 226/228.

Action: The Respondent is required to: submit a corrective action plan to include proposed steps to address the MCL violations at the PWS; 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.

22) Order Type and Number: Consent Order 14-027-DW  
Order Date: March 7, 2014  
Respondent: **ABC&W, LLC**  
Facility: McAfee Mobile Home Park  
Location: 975 McAfee Court  
York, SC 29745  
Mailing Address: Same  
County: York  
Previous Orders: None  
Permit/ID Number: 4660008  
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F, 61-58.5.G(2)(e), 61-58.5.G(2)(a), and 61-58.6.B(1).

Summary: ABC&W, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On July 29, 2013, a violation was issued as a result of monitoring records received by the Department and on October 8, 2013, October 24, 2013, and November 26, 2013, violations were issued as a result of a Department review of the Respondent's records. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform; failed to collect at least five routine samples during the next month the PWS provided water to the public following a total coliform positive sample; failed to collect, within twenty-four hours of notification of a total coliform positive sample, four repeat samples; and, failed to report the results of the monthly microbiological monitoring within ten calendar days following the end of the month in which the result is received.

Action: The Respondent is required to: immediately begin conducting monthly microbiological monitoring of the PWS and submitting the results as required; submit a standard operating procedure to ensure that all monitoring and reporting requirements are complied with; submit an investigative report to determine the causes of the MCL violation and a corrective action plan to include proposed steps to address those causes; pay a civil penalty in the amount of three



thousand, four hundred dollars (**\$3,400.00**); and, pay a stipulated penalty in the amount of eleven thousand dollars (\$11,000.00) should the Respondent fail to meet any requirement of the Order.

### **Water Pollution Enforcement**

23) <u>Order Type and Number:</u>	Consent Order 14-002-W
<u>Order Date:</u>	February 3, 2014
<u>Respondent:</u>	<b>Tega Cay Water Service, Inc.</b>
<u>Facilities:</u>	Tega Cay WWTF #2, #3, and #4
<u>Location:</u>	Tega Cay WWTF #2 4135 Koala Circle Tega Cay, SC 29715 (Lake Wylie) Tega Cay WWTF #3 and #4 9082 Windjammer Dr. Tega Cay, SC 29715 (Lake Wylie)
<u>Mailing Address:</u>	200 Weathersfield Ave. Altamonte Springs, FL 32714-4027
<u>County:</u>	York
<u>Previous Orders:</u>	09-042-W (\$22,000.00); 11-004-W (\$60,000.00)
<u>Permit/ID Number:</u>	SC0026743, SC0026751
<u>Violations Cited:</u>	S.C. Code Ann. §48-1-90(A)(1) (2008 and Supp. 2013)

Summary: Tega Cay Water Service, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of Tega Cay wastewater treatment facilities (WWTFs) #2, #3, and #4, and the associated wastewater collection systems (WWCS) and all appurtenances, serving the customers in their service areas in York County, South Carolina. The Respondent has violated the Pollution Control Act as follows: discharged untreated wastewater into the environment, including into waters of the State, in a manner other than in compliance with a permit issued by the Department.

Action: The Respondent is required to: submit a corrective action plan (CAP) detailing interim measures to include the installation and operation of sufficient interim equalization capacity at the WWTFs as necessary to prevent overflows from the WWTFs; complete installation of the interim measures described in the CAP; submit copies of public notices issued by the Respondent for all 'Significant Spills' from the WWTFs and the WWCS; submit a customer service plan developed to provide timely notice to the customers of the affected area within the WWCS when any SSO occurs; collect samples of wastewater discharges during all overflows from the wastewater treatment facilities; maintain documentation of all overflows and within twenty-four (24) hours after detection,

orally report all wastewater spills to the Department. Within five (5) days after detection, report all wastewater spills to the Department on, and in accordance with, DHEC Sewer System Overflow or Pump Station Failure Report Forms; conduct a Capacity, Management, Operation and Maintenance (cMOM) audit of the WWCS; complete rehabilitation of the WWCS; submit summary reports of corrective actions completed in of the WWCS every ninety (90) days; submit a preliminary engineering report (PER) and plans and specifications detailing modifications to the WWTFs #2, #3, and #4 for the installation of sufficient permanent equalization capacity necessary to prevent overflows from the WWTFs; complete construction of the permanent equalization capacity at WWTFs #2, #3, and #4; and, pay a civil penalty in the amount of one hundred thirty-six thousand dollars (**\$136,000.00**).

24) Order Type and Number: Consent Order 14-003-W  
Order Date: March 07, 2014  
Respondent: **Town of Springfield**  
Facility: WWTP #2  
Location: 811 Springfield Rd  
Springfield, SC 29146  
Mailing Address: P.O. Box 31  
Springfield, SC 29146  
County: Orangeburg  
Previous Orders: None  
Permit/ID Number: SC0023281  
Violations Cited: S.C. Code Ann. §48-1-110(A) (1)  
(2008 and Supp. 2013) and, 3 S.C. Code Ann. Regs. 61-9.122.41(e)(4)  
(2011)

Summary: The Town of Springfield (Respondent) owns and is responsible for the proper operation and maintenance of the Wastewater Treatment Plant No. 2 (WWTP #2) serving the residents and businesses within a portion of its designated service area in Orangeburg County, South Carolina. On July 30, 2013, the Respondent reported the noncompliance at the outfall structure due to significant rainfall, precluding the ability to collect samples for reliable results. On January 22, 2014, a Notice of Alleged Violation along with a proposed consent order was issued. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to sample and report discharge data as required under its National Pollution Discharge Elimination System Permit.

Action: The Respondent is required to: submit a corrective action plan identifying corrective actions taken or planned, with an enforceable schedule of compliance, to remedy the circumstances under which the Respondent was unable to sample and report valid discharge data; and, pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

25) Order Type and Number: Consent Order 14-004-W  
Order Date: March 13, 2014  
Respondent: **City of Dillon**  
Facility: Little Pee Dee River WWTP  
Location: State Road S-17-684  
Dillon, SC 29536  
Mailing Address: 401 W. Main St.  
Dillon, SC 29536  
County: Dillon  
Previous Orders: 13-011-W (\$3,200.00); 09-015-W  
(\$2,800.00)  
Permit/ID Number: SC0021776  
Violations Cited: S.C. Code Ann. §48-1-110(d)(2008  
and Supp. 2013); 3 S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(2011).

Summary: City of Dillon (Respondent) owns and is responsible for the proper operation and maintenance of the Little Pee Dee River Wastewater Treatment Plant (WWTP) located outside of Dillon in Dillon County, South Carolina. On October 21, 2013, a Notice of Alleged Violation/Notice of Enforcement Conference was issued as a result of a Discharge Monitoring Report for August 2013 reported Ammonia-Nitrogen (NH<sub>3</sub>-N) violations and Whole Effluent Toxicity/Chronic Toxicity (CTOX) violations that occurred during the August through October 2013 monitoring period. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent discharge limits for NH<sub>3</sub>-N and CTOX for effluent discharged from the Little Pee Dee River WWTP.

Action: The Respondent is required to: submit a corrective action plan (CAP) to address and remediate the effluent violations reported and institute an enhanced CTOX sampling process following implementation of the CAP, as approved by the Department, to demonstrate that compliance has been achieved; institute a State approved Industrial Pretreatment Program; and, pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**).

26) Order Type and Number: Consent Order 14-005-W  
Order Date: March 7, 2014  
Respondent: **Donnie S. Tankersley**  
Facility: Tankersley Lake Dam  
Location: River Falls Road  
Marietta, SC 29661  
Mailing Address: 393 River Falls Rd.  
Marietta, SC 29661  
County: Greenville  
Previous Orders: AO 13-039-W

Permit/ID Number: D 1103  
Violation(s) Cited: Dams and Reservoirs Safety Act,  
S.C. Code Ann. § 49-11-150 and § 49-11-170(c) (2008 and Supp. 2012);  
Dams and Reservoirs Safety Act Regulations 9 S.C. Code Ann. Regs. 72-  
4(C)(3) (2012)

Summary: Donnie S. Tankersley (Respondent) is one of three owners of the Tankersley Lake Dam located in Greenville County, South Carolina. On November 12, 2012, and December 6, 2012, the property was inspected and the dam was found to have excessive vegetation, large trees growing, debris on the spillway, and seepage around the discharge pipe and through the dam. The Respondent violated the SC Dams and Reservoirs Safety Act and the Dams and Reservoirs Safety Act Regulations as follows: failed to maintain the dam; failed to conduct a detailed inspection of the site; and, failed to provide an Emergency Action Plan. Previously the Respondent and two other property owners were issued Administrative Order (AO) 13-039-W for this site. This Consent Order with the Respondent represents the second of three Consent Orders with each of the respective Respondents in resolving AO 13-039-W.

Action: The Respondent is required to: ensure that all requirements specified under this Order (the same work required under AO 13-039-W) are met to return the reference dam to compliance with applicable statutes and regulations; allow all necessary repairs, modifications and/or maintenance to the Tankersley Lake Dam (D-1103) to bring the site into compliance with applicable statutes and regulations; in cooperation with the other named Respondents, have a detailed inspection of the Site conducted by a qualified registered professional engineer; submit the results of the detailed inspection and a plan for the repair and/or restoration of the dam, or structural modification of the dam to ensure that the impoundment no longer holds water, including all engineering recommendations and an application for a permit to repair, restoration and/or structural modifications, and an Emergency Action Plan on forms provided by the Department; after permit is issued, complete all repairs, restoration and/or modifications, including engineering recommendations and correction of cited violations, of the Site in accordance with the approved plan; and, pay a **stipulated penalty** in the amount of one thousand, five hundred dollars (**\$1,500.00**) should the Respondent fail to complete all requirements in accordance with time schedules set forth in this Consent Order.

27) Order Type and Number: Consent Order 14-007-W  
Order Date: March 13, 2014  
Respondent: **Town of Williamston**  
Facility: Williamston/Big Creek East WWTP  
Location: 59 Gate Court  
Williamston, SC 29697  
Mailing Address: P.O. Box 70

Williamston, SC 29697  
County: Anderson  
Previous Orders: None  
Permit/ID Number: SC0046841  
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110(d) (2008 and 2013) and Water Pollution Control Permits, 3 S.C. Code Ann. Regs. 61-9.122.41(a) (2011).

Summary: The Town of Williamston (Respondent) owns and is responsible for the proper operation and maintenance of the Williamston/Big Creek East wastewater treatment plant (WWTP) serving the businesses and residents in its designated service area in Anderson County. On May 16, 2013, a Notice of Violation (NOV) was issued as a result of monitoring records received by the Department. On October 30, 2013, a Notice of Alleged Violation/Notice of Enforcement Conference was issued. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent limits for fecal coliform as contained in its National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of one thousand four hundred dollars (**\$1,400.00**).

28) Order Type and Number: Consent Order 14-008-W  
Order Date: March 13, 2014  
Respondent: **M. Brett Tankersley**  
Facility: Tankersley Lake Dam  
Location: River Falls Road  
Marietta, SC 29661  
Mailing Address: 503 N. Main St.  
Travelers Rest, SC 29690  
County: Greenville  
Previous Order: AO 13-039-W  
Permit/ID Number: D 1103  
Violations Cited: Dams and Reservoirs Safety Act, S.C. Code Ann. § 49-11-150 and § 49-11-170(c) (2008 and Supp. 2012); Dams and Reservoirs Safety Act Regulations 9 S.C. Code Ann. Regs. 72-4(C)(3) (2012)

Summary: M. Brett Tankersley (Respondent) is one of three owners of the Tankersley Lake Dam located in Greenville County, South Carolina. On November 12, 2012, and December 6, 2012, the property was inspected and the dam was found to have excessive vegetation, large trees growing, debris on the spillway, and seepage around the discharge pipe and through the dam. The Respondent violated the SC Dams and Reservoirs Safety Act and the Dams and

Reservoirs Safety Act Regulations as follows: failed to maintain the dam; failed to conduct a detailed inspection of the site; and, failed to provide an Emergency Action Plan. Previously the Respondent and two other property owners were issued Administrative Order (AO) 13-039-W for this site. This Consent Order with the Respondent represents the last of three Consent Orders with each of the respective Respondents in resolving AO 13-039-W.

Action: The Respondent is required to: ensure that all requirements specified under this Order (the same work required under AO 13-039-W) are met to return the referenced dam to compliance with applicable statutes and regulations; immediately begin lowering the water level in the reservoir to a level at which the site no longer presents a hazard to surrounding residents and property; maintain the water level in the reservoir at a safe level until certification of completion and operation is issued by the Department; have a detailed inspection of the Site conducted by a qualified registered professional engineer; submit the results of the detailed inspection and a plan for the repair and/or restoration of the dam, or structural modification of the dam to ensure that the impoundment no longer holds water, including all engineering recommendations and an application for a permit to repair, restoration and/or structural modifications, and an Emergency Action Plan on forms provided by the Department; after permit is issued, complete all repairs, restoration and/or modifications, including engineering recommendations and correction of cited violations, of the site in accordance with the approved plan; pay a civil penalty in the amount of two hundred fifty dollars (**\$250.00**); and, pay a stipulated penalty in the amount of one thousand two hundred fifty dollars (1,250.00) should the Respondent fail to complete all requirements in accordance with time schedules set forth in this Consent Order.

29)	<u>Order Type and Number:</u>	Consent Order 14-010-W
	<u>Order Date:</u>	March 25, 2014
	<u>Respondent:</u>	<b>William Coleman d.b.a. Palmetto Consignment Auto Sales</b>
	<u>Facility:</u>	Palmetto Consignment Auto Sales
	<u>Location:</u>	1302 N. Cashua Drive Florence, SC 29501
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Florence
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	None
	<u>Violations Cited:</u>	Onsite Wastewater Systems, 4 S.C. Code Ann. Regs. 61-56.102.2 (2011) and 4 S.C. Code Ann. Regs. 61- 56.103.2(1) (2011)

Summary: William Coleman d.b.a. Palmetto Consignment Auto Sales (Respondent) is the owner of a business located in Florence County, South

Carolina. On May 13, 2013, Department staff visited the site to investigate the complaint of an Onsite Wastewater System (OSWW) that had been installed on the property without a permit and discovered that a portion of the system was installed on adjacent property. The Respondent has violated the Onsite Wastewater Systems Regulation as follows: failed to obtain a permit to install and operate an OSWW system.

Action: The Respondent is required to: submit an application for a permit for an OSWW system to serve the site; install a properly constructed and inspected OSWW system pursuant to a permit; remove and/or properly abandon the portions of the OSWW system installed without a permit that cannot be determined by the Department to meet all requirements of regulation; contact Department staff to inspect the removal/abandonment of the system; and, pay a civil penalty in the amount of eight hundred fifty dollars (**\$850.00**).

### **BUREAU OF ENVIRONMENTAL HEALTH SERVICES**

30) Order Type and Number: Consent Order #2013-810-04-001  
Order Date: February 11, 2014  
Respondent: **Herbert O. Dew, Jr.**  
Facility: Wateree River Dairy  
Location: 8200 State Farm Road  
Rembert, SC 29128  
Mailing Address: Same  
County: Sumter  
Previous Orders: None  
Permit/ID Number: 45006  
Violations Cited: SC Code Ann. Regs. 61-34.1 Section VII.C.16.v.bb., 61-34.1 Section VII.C.16.v.cc., and 61-34.1 Section VII.C.16d.(1).(b).iii.aa

Summary: Herbert Dew (Respondent) operates Wateree River Dairy located in Sumter, South Carolina. On September 15, 2013, the Department received notification from Wateree Dairy that the recorder chart was malfunctioning. The Respondent violated the South Carolina Pasteurized Milk and Milk Products Regulation as follows: the recorder/controller was not adjusted to read no higher than the indicating thermometer; the recorder/controller charts did not comply with the applicable provisions within the Regulation; and, the indicating thermometer was not determined at the beginning of the day's operation and entered upon the recorder chart daily by the plant operator.

Action: The Respondent is required to: ensure compliance with the regulations and dispose of all milk production for a three day period.

31) Order Type and Number: Consent Order #2013-206-03-017  
Order Date: February 11, 2014  
Respondent: **Perkins Management Services and Benedict College**  
Facility: Benedict College  
Location: 1600 Harden Street  
Columbia, SC 29204  
Mailing address: Same  
County: Richland  
Previous Orders: None  
Permit/ID Number: 40-206-06826  
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1. & 61-25 Chapter VI., Section G.1.

Summary: Perkins Management Services (Respondent) operates a kitchen located within Benedict College (Respondent) in Columbia, South Carolina. On April 25, 2012, October 18, 2012, and October 04, 2013, the Department conducted routine inspections. On September 07, 2012, the Department conducted a complaint inspection/investigation. On September 10, 2012, the Department conducted a follow-up inspection. The Respondents violated the South Carolina Retail Food Establishment Regulations as follows: all sewage, including liquid waste was not disposed of properly; and, the presence of rodents, flies, cockroaches, and other insects were not effectively controlled on the premises.

Action: The Respondents are required to: operate and maintain all disposal of wastewater and grease; maintain effective control of flies in accordance with the requirements of all regulations; and, pay a civil penalty in the amount of one thousand, six hundred eighty-seven dollars and fifty cents (**\$1,678.50**).

32) Order Type and Number: Consent Order #2013-206-06-024  
Order Date: March 13, 2014  
Respondent: **Raymond Hilburn**  
Facility: Loris IGA  
Location: 3030 Broad Street  
Loris, SC 29569  
Mailing address: Same  
County: Horry  
Previous Orders: None  
Permit/ID Number: 26-206-08753  
Violations Cited: S.C. Code Ann. Regs. 61-25, Chapter 2, Section B.1.



Summary: Raymond Hilburn (Respondent) operates Loris IGA located in Loris, South Carolina. On August 16, 2013, and November 14, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: improper holding temperatures of potentially hazardous foods.

Action: The Respondent is required to: commence taking temperatures at a minimum of four (4) times daily; record temperatures onto temperature log sheets; provide logs sheets for the Department's review upon request; purchase a new hot-holding box for potentially hazardous food products; and, pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**).

33) Order Type and Number: Consent Order #2013-206-06-023  
Order Date: March 13, 2014  
Respondent: **Rayesh Kakumani**  
Facility: Reliance Petroleum  
Location: 5282 Highway #9  
Green Sea, SC 29545  
Mailing Address: Same  
County: Horry  
Previous Orders: None  
Permit/ID Number: 26-206-10785  
Violations Cited: S.C. Code Ann. Regs. 61-25,  
Chapter 2, Section B.1.

Summary: Rayesh Kakumani (Respondent) operates Reliance Petroleum located in Green Sea, South Carolina. On August 19, 2013, and November 14, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: improper holding temperatures of potentially hazardous foods.

Action: The Respondent is required to: commence taking temperatures at a minimum of two (2) times daily; record temperatures onto temperature log sheets; provide logs sheets for the Department's review upon request; purchase a new hot-holding box for potentially hazardous food products; and, pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**).

34) Order Type and Number: Consent Order #2013-206-06-022  
Order Date: March 18, 2014  
Respondent: **Phillip Nelson**  
Facility: Myrtlewood Golf Course  
Location: 1500 48th Avenue North  
Myrtle Beach, SC 29577  
Mailing Address: Same

County: Horry  
Previous Orders: None  
Permit/ID Number: 26-206-11968  
Violations Cited: S.C. Code Ann. Regs. 61-25,  
Chapter 6, Section A.4

Summary: Phillip Nelson (Respondent) is the Regional Food & Beverage Manager for Myrtlewood Golf Course located in Myrtle Beach, South Carolina. On November 11, 2012, December 07, 2012, October 17, 2013, October 25, 2013, and November 04, 2013, the Department conducted routine and follow-up inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to ensure hot water generation and distribution systems were sufficient to meet the peak hot water demands of at least 140°F (60°C) throughout the retail food establishment.

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

35) Order Type and Number: Consent Order #2013-206-06-028  
Order Date: March 25, 2014  
Respondent: **Bin Ru He**  
Facility: China Buffet  
Location: 1293 38th Avenue North  
Myrtle Beach, SC 29577  
Mailing Address: Same  
County: Horry  
Previous Orders: None  
Permit/ID Number: 26-206-11899  
Violations Cited: S.C. Code Ann. Regs. 61-25,  
Chapter 2, Section B.1

Summary: Bin Ru He (Respondent) operates China Buffet located in Myrtle Beach, South Carolina. On September 24, 2013, and November 22, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to ensure foods being transported, stored, prepared, displayed, served, or sold at a retail food establishment were protected from all sources of contamination, including overhead leakage such as grease dripping from the ventilation system and failed to hold all potentially hazardous foods at a temperature of 45°F or below, or 130°F or above at all times.

Action: The Respondent is required to: commence taking temperatures at a minimum of four (4) times daily; record temperatures and verify the cleaning schedule, every ten (10) days, for the ventilation system (hood) above the cook line onto temperature log sheets; provide log sheets for the Department's review

upon request; and, pay a civil penalty in the amount of one thousand five hundred dollars (**\$1,500.00**).

**DIVISION OF OCEAN AND COASTAL RESOURCE MANAGEMENT**

36) Order Type and Number: Administrative Order 13M-002W  
Order Date: December 8, 2013  
Respondent: **William E. Deloach**  
**Eleanor Deloach**  
Location: 429 Vereen Rd  
Murrells Inlet, SC 29576  
Mailing Address: Same  
County: Horry  
Previous Orders: None  
Permit/ID Number: OCRM-06-506, OCRM-97-556  
Violations Cited: S.C. Code Ann. §48-39-130(A) and  
23A S.C. Code Ann. Regs. 30-2(B); 23A S.C. Code Ann. Regs. 30-12(M)

Summary: William E. Deloach and Eleanor Deloach (Respondents) are the owners of certain property abutting the tidelands critical area. On June 13, 2012, an inspection was conducted at the site and a Notice of Violation and Admission Letter was issued on August 29, 2013. The Respondents have violated the Coastal Zone Management Act and Critical Area Permitting Regulations by constructing an unauthorized deck in the tidelands critical area regulated by the Department.

Action: The Respondents are required to: remove the unauthorized deck from the tidelands critical area and pay a **stipulated penalty** in the amount of two thousand dollars (**\$2,000.00**) should the Respondent fail to meet any requirement of the Order.

37) Order Type and Number: Consent Order 13C-004Pb  
Order Date: March 10, 2014  
Respondent: **KMH Group, LLC**  
Location: 1699B E. Ashley Avenue  
Folly Beach, SC 29439  
Mailing Address: 2202 Folly Road  
Folly Beach, SC 29412  
County: Charleston  
Previous Orders: None  
Permit/ID Number: N/A

Violations Cited: S.C. Code Ann. §48-39-130(A) and 23A S.C. Code Ann. Regs. 30-2(B); S.C. Code Ann. §48-39-290(B)(2)(A) and 23A S.C. Code Ann. Regs. 30-13(N)(3)(a)

Summary: KMH Group, LLC (Respondent) was the owner of certain property abutting the beaches critical area at the time of violation. On May 2, 2013, an inspection was conducted at the site and a Notice of Violation and Admission Letter was issued on November 25, 2013. The Respondent has violated the Coastal Zone Management Act and Critical Area Permitting Regulations as follows: constructed an unauthorized rip-rap revetment seaward of the baseline in the beaches critical area regulated by the Department.

Action: The Respondent is required to: pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**). Removal of the violative structure was required by another named party under separate action.

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