

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
September 11, 2014**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 13-0335-UST
 Order Date: June 24, 2014
 Respondent: **Henry Lawson**
 Facility: Lawson BP
 Location: 45 South Church Street
 Summerton, SC
 Mailing Address: P.O. Box 469
 Summerton, SC 29148-0469

 County: Clarendon
 Previous Orders*: None
 Permit/ID Number: 14298
 Violations Cited: State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act), (2002 and
 Supp. 2013), and the South Carolina Underground Storage Tank Control
 Regulation 61-92.280.70(c), R.61-92.280.93(a) and R.61-92.280.110(c)
 (Supp. 2012).

Summary: Henry Lawson (Respondent) owns underground storage tanks (USTs), located in Summerton, South Carolina. On July 14, 2008, a Notice of Alleged Violation was issued. The Respondent violated the South Carolina Underground Storage Tank Control Regulations as follows: failed to permanently close USTs and failed to demonstrate financial responsibility for an underground storage tank system.

Action: The Respondent is required to: submit a UST Tank/Sludge Disposal Form; permanently close the USTs; submit a UST Closure and Assessment Report; submit a completed Certificate of Financial Responsibility and proof of mechanism; pay annual tank registration fees and associated late fees in the amount of seven thousand, two hundred seventy-seven dollars (\$7,277.00); and, pay a civil penalty in the amount of fourteen thousand, six hundred dollars (\$14,600.00).

- 2) Order Type and Number: Administrative Order 13-0403-UST
 Order Date: June 25, 2014

Respondent: **Carson Baker**
Facility: Smokerise Inn and Out
Location: 2415 Pineview Drive
Lancaster, SC 29720
Mailing Address: 2782 Rocky River Road
Heath Springs, SC 29058
County: Lancaster
Previous Orders: None
Permit/ID Number: 05529
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(b)(1) (2012).

Summary: Carson Baker (Respondent) owns underground storage tanks (USTs) in Lancaster, South Carolina. On August 2, 2013, a Notice of Alleged Violation (NOAV) was issued as a result of a file review, and on October 9, 2013, a separate NOAV was issued as a result of a routine compliance inspection. The Respondent has violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulations as follows: failed to test the corrosion protection system at least every three (3) years and failed to pay to the Department annual underground storage tank registration fees.

Action: The Respondent is required to: permanently close the UST system; 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 thirteen thousand, five hundred dollars (**\$13,500.00**).

Hazardous Waste Enforcement

3) Order Type and Number: Consent Order 14-08-HW
Order Date: July 10, 2014
Respondent: **Clemson University**
Facility: Clemson University Pee Dee
Research Center; ESE Building
Location: 500 Pocket Road
Florence, SC 29506 / 342 Computer
Court, Clemson Research Park,
Anderson, SC 29626
Mailing Address: Same
County: Darlington; Anderson
Previous Orders: 12-04-HW (\$50,000.00)
Permit/ID Number: SCD 982 140 154; SCD 987 585 304

Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2); the South Carolina Hazardous Waste Management Regulations R.61-79.262.20(g); 262.12(c); 262.20(a)(1); 263.10(g); 79.270.1(c)

Summary: Clemson University (Respondent) is a technical and scientific academic institution with multiple hazardous waste generation sites. On September 5, September 6, September 10, and October 16, 2013, inspections were conducted at the ESE Building and Pee Dee REC as a result of a complaint. The Respondent violated the Hazardous Waste Management Regulations as follows: as a generator shipping hazardous waste offsite failed to either be permitted to transport or utilize a permitted transporter; offered its hazardous waste to a transporter that did not have a Department permit; failed to prepare a manifest according to the instructions; failed to be permitted by the Department except as specifically exempted; and, stored hazardous waste without applying for and receiving a permit from the Department.

Action: The Respondent is required to: pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**).

Solid Waste Enforcement

4) Order Type and Number: Administrative Order 14-28-SW
Order Date: June 24, 2014
Respondent: **Todd Sharpe and Crystal Sharpe**
Facility: Unpermitted Waste Tire Collection Site (Lexington County TMS #006624-01-013)
Location: 141 Wilma Ann Drive
Lexington, SC 29073
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: Unpermitted
Violations Cited: The South Carolina Solid Waste Policy and Management Act of 1991 (Rev. 2002); and, South Carolina Solid Waste Management: Waste Tires Regulation 61-107.3 (Supp. 2012).

Summary: Todd Sharpe and Crystal Sharpe (Respondents) operate a waste tire collection site without the written approval of the Department. An inspection was conducted on June 20, 2013 in response to a complaint. On December 9, 2013, and February 28, 2014 letters were mailed to the Respondents. On May 19, 2014, the Department sent a proposed consent order via first class and certified mail. The Respondents have violated the South Carolina Solid Waste

Policy and Management Act and the South Carolina Solid Waste Management: Waste Tire Regulation as follows: failed to obtain proper written approval prior to operating a waste tire collection site.

Action: The Respondents are required to: submit disposal receipts, documenting the removal and disposition of all waste tires at the Site to a permitted solid waste management facility; and, pay a civil penalty in the amount of two thousand eight hundred seventy-five dollars (**\$2,875.00**).

5) Order Type and Number: Administrative Order 14-32-SW
Order Date: June 24, 2014
Respondent: **Terra Portfolio Investments, LLC**
Facility: Unpermitted Class Two Landfill/
Waste Tire Collection Site (Sumter
County TMS #208-00-02-004)
Location: 1563 Pinewood Road
Sumter, SC 29153
Mailing Address: 14901 Quorum Drive, Suite 900
Dallas, TX 75254
County: Sumter
Previous Orders: None
Permit/ID Number: Unpermitted
Violations Cited: The South Carolina Solid Waste
Policy and Management Act of 1991 (Rev. 2002); South Carolina Solid
Waste Management: Solid Waste Landfills and Structural Fill Regulation
61-107.19 (Supp. 2012); and, South Carolina Solid Waste Management:
Waste Tires Regulation 61-107.3(Supp. 2012).

Summary: Terra Portfolio Investments, LLC (Respondent) operates a waste tire collection site and a Class Two Landfill. An inspection was conducted on June 10, 2013, in response to a complaint. On May 2, 2014, the Department sent a Notice of Alleged Violation/Notice of Enforcement Conference (NOAV/NOEC). The Respondent has violated the South Carolina Solid Waste Policy and Management Act of 1991 and the South Carolina Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation and Waste Tire Regulation as follows: operated a waste tire collection site and Class Two Landfill without obtaining prior written approval from the Department.

Action: The Respondent is required to: submit disposal receipts, documenting the removal and disposition of all waste tires, furniture, household garbage, construction and demolition (C & D) debris, wire insulation, and e-waste at a permitted solid waste management facility; and, pay a civil penalty in the amount of ten thousand, five hundred twenty dollars (**\$10,520.00**).

6) Order Type and Number: Consent Order 14-30-SW

Order Date: July 24, 2014
Respondent: **Clifton Tarte**
Facility: None
Location: 235 Greenleaf Circle
Myrtle Beach, SC 29579
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: None
Violations Cited: South Carolina Solid Waste
Management: Solid Waste Landfills and Structural Fill Regulation 61-
107.19 Part I.B.81., and R. 61-107.19 Part II.B.1.

Summary: Clifton Tarte (Respondent) owns property at 235 Greenleaf Circle, Myrtle Beach, South Carolina. Inspections of the Site took place on January 10, 2014, and April 23, 2014. The Respondent has violated the South Carolina Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation as follows: failed to obtain a permit from the Department before engaging in structural fill activity.

Action: The Respondent is required to: remove and properly dispose of concrete waste along the slope of the canal; return the slope to its original grade using native soils and vegetation; submit disposal receipts for the disposal of removed concrete waste; cover remaining concrete filling the duck pond with two feet of clean soils and submit a notation of the property deed; pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**); and, pay a stipulated penalty in the amount of two thousand, five hundred dollars (\$2,500.00) should the Respondent fail to meet any requirement of the Order.

7) Order Type and Number: Consent Order 14-31-SW
Order Date: July 17, 2014
Respondent: **Howard Johnson d.b.a. H & D Limited, LLC**
Facility: Buffalo Mill Structural Fill Project
Location: 118 Flat Drive
Buffalo, SC 29321
Mailing Address: 706 S Boyce St.
Union, SC 29379
County: Union
Previous Orders: None
Permit/ID Number: SF-00108
Violations Cited: The South Carolina Solid Waste Policy and Management Act of 1991 (Rev. 2002); and, South Carolina Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation 61-107.19 (Supp. 2012).

Summary: Howard Johnson d.b.a. H & D Limited, LLC (Respondent) operates a Short Term Structural Fill in Union County, South Carolina. On April 4, 2014, a Notice of Alleged Violation/Notice of Enforcement Conference was issued as a result of repeated deficiencies noted during routine compliance inspections. The Respondent has violated the South Carolina Solid Waste Policy and Management Act of 1991 and the South Carolina Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation as follows: failed to adhere to the operational requirements of structural fill activity.

Action: The Respondent is required to: submit disposal receipts, documenting the removal and disposition of all unauthorized solid waste at a permitted solid waste management facility; complete the action of closure of the facility in accordance with the regulations; pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**); and, pay a stipulated civil penalty in the amount of two thousand dollars (\$2,000.00) if the Respondent fails to meet any requirement of the Order.

Joint Orders

8) Order Type and Number: Consent Order 14-06-SW,
14-09-HW
Order Date: July 10, 2014
Respondent: **Travis Wright, Individually, and
d.b.a. Your Way Waste Oil**
Facility: Your Way Waste Oil
Location: 440 Millford Church Road
Greer, SC
Mailing Address: 290 Gum Springs Road
Taylors, SC 29687
County: Greenville
Previous Orders: None
Permit/ID Number: EPA ID SCR 000 777 771
Violations Cited: South Carolina Solid Waste
Management: Used Oil Regulations 61-107.279.42 (a), R. 61-107.279.42
(c), R. 61-107.279.51, R. 61-107.279.43 (a)(1), R. 61-107.279.46 (b)(1),
R. 61-107.279.45 (d), R. 61-107.279.45 (g)(1), R. 61-107.279.92 (a); and,
South Carolina Hazardous Waste Management: Universal Waste Rule R.
61-79.273.13 (d)(1), R. 61-79.273.14 (e), and R. 61-79.273.15 (c).

Summary: Travis Wright d.b.a. Your Way Waste Oil (Respondent) owns and operates a used oil transporter facility in Greenville County, South Carolina. An inspection was conducted September 19, 2013, and September 20, 2013. The Respondent has violated the South Carolina Solid Waste Management: Used Oil Regulations as follows: as a used oil transporter who previously notified EPA of

used oil management activities and obtained an EPA identification number, failed to update used oil activities with the Department; failed to register with the Department; failed to obtain a permit for used oil processing/re-refining from the Department; failed to deliver all used oil to another used oil transporter who has obtained an EPA identification number and registered with the Department; failed to maintain manifests of each shipment of used oil that is delivered to another used oil transporter, including the name and address of the receiving facility; failed to have a secondary containment system for used oil tanks and containers capable of holding the volumetric contents of the largest container; failed to have containers and above ground tanks used to store used oil clearly marked with the words "Used Oil;" and, failed to hot-drain used oil filters for a minimum of 12 hours. The Respondent has also violated the South Carolina Hazardous Waste Management: Universal Waste Rule as follows: failed to manage lamps in a way that prevents releases of any universal waste or component of a universal waste into the environment; failed to ensure that each lamp or container of lamps is labeled or clearly marked with the words "Universal Waste – Lamp(s)," "Waste Lamp(s)," or "Used Lamp(s);" and, failed to determine the length of time that the universal waste has been accumulated from the date it became a waste or was received.

Action: The Respondent is required to: ensure all universal waste lamps are managed in accordance the regulations and pay a civil penalty in the amount of ten thousand, two hundred dollars (**\$10,200.00**). One thousand, five hundred dollars (\$1,500.00) for hazardous waste violations and eight thousand, seven hundred dollars (\$8,700.00) for solid waste violations.

BUREAU OF WATER

Drinking Water Enforcement

9) <u>Order Type and Number:</u>	Consent Order 14-082-DW
<u>Order Date:</u>	July 10, 2014
<u>Respondent:</u>	Kelly Properties, LLC
<u>Facility:</u>	Super 8 Motel
<u>Location:</u>	3801 Highway 17 South North Myrtle Beach, SC 20582
<u>Mailing Address:</u>	Same
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	14-082-DW
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Kelly Properties, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 27, 2013, and August 8, 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 cyanuric acid level was above the water quality standards acceptable limit; the emergency telephone was not operating; the current pool operator of record information was not posted; and, the bound and numbered log book was not maintained on a daily basis on one occasion, and was not available for Department review on another occasion.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool closed until the deficiencies have been corrected; and, pay a civil penalty in the amount of eight hundred dollars (**\$800.00**). The civil penalty has been paid.

10) <u>Order Type and Number:</u>	Consent Order 14-086-DW
<u>Order Date:</u>	July 10, 2014
<u>Respondent:</u>	The Yachtsman Horizontal Property Regime Council of Co- Owners, Inc.
<u>Facility:</u>	Yachtsman North Tower
<u>Location:</u>	1304 North Ocean Boulevard North Myrtle Beach, SC 29577
<u>Mailing Address:</u>	1805 North Oak Street Myrtle Beach, SC 29577
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-K37-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: The Yachtsman Horizontal Property Regime Council of Co-Owners, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a kiddie pool. On May 30, 2014, the kiddie pool was inspected, a violation was issued for failure to properly operate and maintain, and the Respondent was instructed to contact the Department for a follow-up inspection prior to re-opening to verify that the corrections had been made. On May 30, 2014, the Respondent contacted the Department via telephone and stated that all of the deficiencies had been corrected and requested approval to re-open the kiddie pool. At that time, the Department gave verbal permission to re-open the kiddie pool. That same day, a follow-up inspection was conducted and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: there were no “Shallow Water – No Diving Allowed” signs posted; the chlorine and pH levels were not within the acceptable range of water quality standards; only one “No

Lifeguard On Duty – Swim At Your Own Risk” sign was posted; and the current pool operator of record information was not posted.

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 eight hundred dollars (**\$800.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

11)	<u>Order Type and Number:</u>	Consent Order 14-087-DW
	<u>Order Date:</u>	July 10, 2014
	<u>Respondent:</u>	James Hucks, John Hucks, Irene Patrick, and Mildred Holt, Individually and d.b.a. Darlington Apartments
	<u>Facility:</u>	Darlington Apartments
	<u>Location:</u>	203 North Ocean Boulevard Myrtle Beach, SC 29577
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	26-1116B
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: James Hucks, John Hucks, Irene Patrick, and Mildred Holt, Individually and d.b.a. Darlington Apartments (Respondents) own and are responsible for the proper operation and maintenance of a pool. On June 3, 2014, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondents have violated the Public Swimming Pools Regulation as follows: the gate did not self close and latch; the drinking water fountain and the foot rinse shower were not operating; the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the pool rules sign was not completely filled out; the pool operator of record information was not posted; and, the log book was not available for Department review.

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

12)	<u>Order Type and Number:</u>	Consent Order 14-088-DW
	<u>Order Date:</u>	July 10, 2014

Respondent: **Shiva Hotels, LLC**
Facility: Country Hearth Inn
Location: 224 Bruce Road
Greenville, SC 29605
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit/ID Number: 23-144-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Shiva Hotels, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On May 27, 2014, 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: there were chlorine tablets in the skimmer baskets; the gate did not self close and latch; the drinking water fountain was not operating; the emergency telephone was not operating; the pool rules sign was not completely filled out; only one "Shallow Water – No Diving Allowed" sign was posted; only one "No Lifeguard On Duty – Swim At Your Own Risk" sign was posted; and the pool operator of record information was not posted. A follow-up inspection was conducted on June 20, 2014, and it was determined that all of the deficiencies had been corrected.

Action: The Respondent is required to: pay a civil penalty in the amount of four hundred dollars (**\$400.00**). The civil penalty has been paid.

13) Order Type and Number: Consent Order 14-089-DW
Order Date: July 10, 2014
Respondent: **Columbia Sun Hotel, LLC**
Facility: Hampton Inn
Location: 29 William Pope Avenue
Bluffton, SC 29909
Mailing Address: 2 Princeton Way
Anniston, AL 36207
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-1015B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Columbia Sun Hotel, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 3, 2014, 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: a ladder was not secure and was missing bumpers; a handrail was not secure; the skimmer covers were broken; the chlorine and pH

levels were not within the acceptable range of water quality standards; the pool rules sign was not completely filled out; there were no “Shallow Water – No Diving Allowed” signs posted; there were no “No Lifeguard On Duty – Swim At Your Own Risk” signs posted; the pool operator of record information was not posted; and the log book was not available for Department review. A follow-up inspection was conducted on June 27, 2014, and it was determined that all of the deficiencies had been corrected.

Action: The Respondent is required to: pay a civil penalty in the amount of four hundred dollars (**\$400.00**). The civil penalty has been paid.

14) Order Type and Number: Consent Order 14-090-DW
Order Date: July 10, 2014
Respondent: **Maniben, LLC**
Facility: Quality Inn & Suites
Location: 7251 Garners Ferry Road
Columbia, SC 29209
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 40-356-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Maniben, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 10, 2014, 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 pool furniture was not at least four feet from the edge of the pool; the chlorine and pH levels were not within the acceptable range of water quality standards; the main drain grates were not visible; the United States Coast Guard approved life ring was missing; the shepherd’s crook was missing; the pool rules sign was not completely filled out; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; and, the pool operator of record information was not posted.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool closed until the deficiencies have been corrected; and, pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

15) Order Type and Number: Consent Order 14-091-DW
Order Date: July 10, 2014
Respondent: **Cedar Villas Homeowners Association of Rock Hill, Inc.**

Facility: Cedar Villas
Location: 590 Cedar Villas Drive
Rock Hill, SC 29730
Mailing Address: 2 Cedar Villas Drive
Rock Hill, SC 29730
County: York
Previous Orders: None
Permit/ID Number: 46-018-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Cedar Villas Homeowners Association of Rock Hill, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 10, 2014, 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: there was no transition line; algae was present on the floor of the pool; the gate did not self close and latch; there was no drinking water fountain; the foot rinse shower was not operating; the chlorine level was not within the acceptable range of water quality standards; all of the "Shallow Water – No Diving Allowed" and the "No Lifeguard On Duty – Swim At Your Own Risk" signs were defective in that the lettering was not the appropriate size; the pool operator of record information was not posted; the bound and numbered log book was not maintained on a daily basis; the disinfection equipment was not operating properly; and there were chlorine tablets in the skimmer baskets.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool closed until the deficiencies have been corrected; and pay a civil penalty in the amount of four hundred dollars (\$400.00).

16) Order Type and Number: Consent Order 14-092-DW
Order Date: July 10, 2014
Respondent: **Battery Point Homeowners Association, Inc.**
Facility: Battery Point
Location: Old Salem Road
Beaufort, SC 29901
Mailing Address: 4925 Lacrosse Road, Suite 112
North Charleston, SC 29406
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-507-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Battery Point Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a kiddie pool. On May 22, 2014, the kiddie 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 and pH levels were not within the acceptable range of water quality standards; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; the bound and numbered log book was not maintained on a daily basis and was not maintained a minimum of three times per week by the pool operator of record; the disinfection equipment was not operating; and the automatic controller was not operating. On May 23, 2014, a follow-up inspection was conducted and it was determined that all of the deficiencies had been corrected.

Action: The Respondent is required to: pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

17) <u>Order Type and Number:</u>	Consent Order 14-093-DW
<u>Order Date:</u>	July 10, 2014
<u>Respondent:</u>	Hare Krishna, LLC
<u>Facility:</u>	Comfort Inn Blythewood
<u>Location:</u>	436 McNulty Road Blythewood, SC 29016
<u>Mailing Address:</u>	104 Royal Oak Lane Catalina, GA 31047
<u>County:</u>	Richland
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	40-409-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Hare Krishna, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 2, 2014, 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 pool furniture was not at least four feet from the edge of the pool; the step edge stripe was not within one inch of the edge of the step; the chlorine and pH levels were not within the acceptable range of water quality standards; the United States Coast Guard approved life ring rope was too short; the pool rules sign was not completely filled out; only one “Shallow Water – No Diving Allowed” sign was posted; and there were no “No Lifeguard On Duty – Swim At Your Own Risk” signs posted.

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 four hundred dollars (**\$400.00**).

18) Order Type and Number: Consent Order 14-094-DW
Order Date: July 10, 2014
Respondent: **H and H Holdings, Ltd. Co.**
Facility: Cherokee Farms
Location: 941 Stallion Spirit Trail
Clover, SC 29710
Mailing Address: P.O. Box 188
Bowling Rock, NC 28605
County: York
Previous Orders: None
Permit/ID Number: 4679023
Violations Cited: S.C Code Ann. Regs. 61-58.1.B(1),
61-58.1.K(1)

Summary: H and H Holdings, Ltd. Co. (Respondent) owns and is responsible for the construction and operation of a public water system (PWS). The Respondent has violated the State Primary Drinking Water Regulations as follows: failed to obtain a permit to construct from the Department prior to the construction of a PWS; and failed to obtain written approval to operate from the Department prior to placing the PWS into operation.

Action: The Respondent is required to: submit a Small Business Water System Construction Permit Application to the Department to obtain a permit to install a public water supply well and necessary appurtenances; complete the installation per the construction permit; contact the Department to request an inspection to obtain written approval to operate; submit a written request of the intended use of the existing unpermitted well; 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 14-095-DW
Order Date: July 10, 2014
Respondent: **Florence FM, LLC**
Facility: Florence Flea Market
Location: 4001 East Palmetto Street
Florence, SC 29506
Mailing Address: Same
County: Florence
Previous Orders: None
Permit/ID Number: 2170235
Violations Cited: S.C. Code Ann. Regs. 61-58.5(F)(2),
61-58.1.B(1), and 61-58.1.K(1)

Summary: Florence FM, LLC (Respondent) leases and is responsible for

the proper operation and maintenance of a public water system (PWS). On May 14, 2014, a violation was issued as a result of review of monitoring records. On May 27, 2014, Department staff visited the site and observed that the Lessee had replaced the originally permitted storage tank at the PWS with a two gallon storage tank that had not been permitted or approved for operation by the Department. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS tested present for total coliform and E. coli, which resulted in a violation of the maximum contaminant level (MCL) for total coliform; failed to obtain a permit to construct from the Department prior to modification of the PWS; and, failed to obtain written approval to operate from the Department prior to placing the modification into operation.

Action: The Respondent is required to: submit a construction permit application to the Department to obtain a permit for the installation of an approved storage tank at the PWS; complete the installation per the construction permit; contact the Department to request an inspection to obtain written approval to operate; submit an investigative report to determine the causes of the MCL violation for total coliform and a corrective action plan to include proposed steps to address those causes; pay a civil penalty in the amount of one thousand two hundred dollars (**\$1,200.00**); and pay a stipulated penalty in the amount of ten thousand eight hundred dollars (\$10,800.00) should the Respondent fail to meet any requirement of the Order.

20) <u>Order Type and Number:</u>	Consent Order 14-096-DW
<u>Order Date:</u>	July 10, 2014
<u>Respondent:</u>	Chadsworth Commons, Individually and d.b.a. Chadsworth Commons
<u>Facility:</u>	Chadsworth Commons
<u>Location:</u>	103 Calhoun Street Clemson, SC 29631
<u>Mailing Address:</u>	115 Hammock Court 6 Central, SC 29630
<u>County:</u>	Pickens
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	39-038-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Chadsworth Commons, Individually and d.b.a. Chadsworth Commons (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 3, 2014, 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 skimmers were missing float valves; a section of the fencing was missing; there was no drinking water fountain; the foot rinse shower was not operating; the chlorine level was not

within the acceptable range of water quality standards; and the disinfection equipment was not operating properly.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool closed until the deficiencies have been corrected; and, pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

21) Order Type and Number: Consent Order 14-097-DW
Order Date: July 10, 2014
Respondent: **Little Bald Rock Homeowners Association, Individually and d.b.a. Little Bald Rock**
Facility: Little Bald Rock
Location: Highway 276
Ceasars Head, SC 29601
Mailing Address: 44 Rock Creek Drive
Greenville, SC 29605
County: Greenville
Previous Orders: None
Permit/ID Number: 23-342-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Little Bald Rock Homeowners Association, Individually and d.b.a. Little Bald Rock (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 2, 2014, 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 drinking water fountain was not operating; the log book was not maintained on a daily basis; the disinfection equipment was not operating properly; and, there were chlorine sticks in the skimmer baskets.

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 four hundred dollars (**\$400.00**).

22) Order Type and Number: Consent Order 14-098-DW
Order Date: July 17, 2014
Respondent: **Cherokee Valley Golf Club, LLC**
Facility: Cherokee Valley Golf Club
Location: 304 Cherokee Valley Way
Travelers Rest, SC 29690
Mailing Address: 665 Simonds Road
Williamston, MA 01267

County: Greenville
Previous Orders: 13-030-DW (\$1,360.00)
Permit/ID Number: 23-1189B and 23-1190C
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Cherokee Valley Golf Club, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool and a kiddie pool. On May 28, 2014, the pool and kiddie pool were inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: there was standing water on the pool deck; the gate did not self close and latch; the drinking water fountain was not operating; the flow meter was not operating; the pool rules sign was not completely filed out; only one "No Lifeguard On Duty - Swim At Your Own Risk" sign was posted; the pool operator of record information was not posted; the bound and numbered log book was not maintained on a daily basis; and, the automatic controller was not operating properly.

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, three hundred sixty dollars (**\$1,360.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

23) Order Type and Number: Consent Order 14-099-DW
Order Date: July 17, 2014
Respondent: **Radheshyam Enterprises, Inc.**
Facility: Holiday Inn Express
Location: 1381 Tiger Boulevard
Clemson, SC 29631
Mailing Address: Same
County: Pickens
Previous Orders: None
Permit/ID Number: 39-1057B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Radheshyam Enterprises, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On March 19, 2014, and June 10, 2014, 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 and pH levels were not within the acceptable range of water quality standards; the bound and numbered log book was not maintained on a daily basis; the float valves were missing; and, the flow meter was not operating properly.

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 eight hundred dollars (**\$800.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

24) Order Type and Number: Consent Order 14-100-DW
Order Date: July 17, 2014
Respondent: **La Mirage Homeowners Association, Inc.**
Facility: La Mirage
Location: 2710 South Ocean Blvd.
Myrtle Beach, SC 29577
Mailing Address: 6040 Mountain Road
Dover, PA 17315
County: Horry
Previous Orders: None
Permit/ID Number: 26-914-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: La Mirage Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 1, 2013, and August 8, 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 lifeline with floats was not in place; a ladder was missing bumpers; the chlorine and pH levels were not within the acceptable range of water quality standards; and, the pool rules sign was missing the emergency telephone location.

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 six hundred eighty dollars (**\$680.00**).

25) Order Type and Number: Consent Order 14-102-DW
Order Date: July 17, 2014
Respondent: **McKinley Realty, LLC**
Facility: West Vista Apartments
Location: 100 Riverbend Drive
West Columbia, SC 29169
Mailing Address: 320 North Main Street, Suite 200
Ann Arbor, MI 48104
County: Lexington
Previous Orders: None
Permit/ID Number: 32-047-1

Violations Cited:

S.C. Code Ann. Regs. 61-51(J)

Summary: McKinley Realty, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 4, 2014, 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 lifeline was not in place; a ladder rung was not properly secured; there were rocks in the skimmer baskets; the gate did not self close and latch; the water was cloudy; the chlorine level was not within the acceptable range of water quality standards; the United States Coast Guard approved life ring and rope were deteriorated; the pool rules sign was not completely filled out; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted and the sign was cracked; and, the bound and numbered log book was not maintained on a daily basis, and was not maintained a minimum of three times per week by the pool operator of record. On June 10, 2014, a follow-up inspection was conducted and it was verified that all of the deficiencies had been addressed.

Action: The Respondent is required to: pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

26) <u>Order Type and Number:</u>	Consent Order 14-103-DW
<u>Order Date:</u>	July 17, 2014
<u>Respondent:</u>	Marietta Baptist Camp and Conference Center
<u>Facility:</u>	Marietta Baptist Camp
<u>Location:</u>	162 Sakanaga Trace Marietta, SC 29661
<u>Mailing Address:</u>	P.O Box 207 Marietta, SC 29661
<u>County:</u>	Greenville
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	2370681
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.5.F

Summary: Marietta Baptist Camp and Conference Center (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On May 8, 2014, and June 6, 2014, violations were issued as a result of review of monitoring records. 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 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.

27) Order Type and Number: Consent Order 14-104-DW
Order Date: July 17, 2014
Owner: **Om Shree, LLC**
Facility: Comfort Suites
Location: 1323 Old Springdale Road
Rock Hill, SC 29730
Mailing Address: Same
County: York
Previous Orders: None
Permit/ID Number: 46-1099B and 46-1100D
Violations Cited: S.C. Code Ann. Regs. 61-51(J) &
61-51(K)(1)(c)

Summary: Om Shree, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool and spa. On May 23, 2014, the pool and spa were inspected and a violation was issued for failure to properly operate and maintain; and, on May 28, 2014, the pool and spa were inspected and a violation was issued for failure to properly operate and maintain and for re-opening prior to receiving Department approval. The Respondent has violated the Public Swimming Pools Regulation as follows: the door to the pool area was propped open; the chlorine level was not within the acceptable range of water quality standards; the bound and numbered log book was not maintained on a daily basis; the spa temperature was not being monitored; the recirculation and filtration system was not operating properly; the automatic controller was not operating; and, the pool and spa were operating prior to receiving Department approval.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool and spa closed until the deficiencies have been corrected; and, pay a civil penalty in the amount of two thousand, forty dollars (**\$2,040.00**).

28) Order Type and Number: Consent Order 14-105-DW
Order Date: July 17, 2014
Owner: **West Ashley Apartments, LLC**
Facility: The Garden at Ashley River
Location: 1840 Carriage Lane
Charleston, SC 29407
Mailing Address: 200 Old Boiling Springs Road
Greer, SC 29650
County: Charleston

Previous Orders: None
Permit/ID Number: 10-025-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: West Ashley Apartments, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On May 13, 2014, and June 3, 2014, 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 cyanuric acid level was above the water quality standards acceptable limit; the life ring rope was too short; the pool rules sign was not completely filled out; only one of the “No Lifeguard On Duty – Swim At Your Own Risk” signs was posted; the current pool operator of record information was not posted; 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; keep the pool closed until the deficiencies have been corrected; and, pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

29) Order Type and Number: Consent Order 14-106-DW
Order Date: July 24, 2014
Owner: **Hunt Club Village Apartments, LLC**
Facility: Hunt Club Village
Location: 7502 Hunt Club Road
Columbia, SC 29223
Mailing Address: 525-K East Market Street, Suite 192
Leesburg, VA 20176
County: Richland
Previous Orders: None
Permit/ID Number: 40-208-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Hunt Club Village Apartments, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 26, 2014, 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: there were damaged depth marker tiles; a ladder was not tight and secure; the pool deck was cracked at the handrail; there was no drinking water fountain; the plaster on the pool steps was chipped; the backwash line did not have a six inch air gap and was missing a grate; the chlorine and pH levels were not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the United States

Coast Guard approve life ring did not have a permanently attached rope; the pool rules sign was not completely filled out; and, the pool operator of record information was not posted. On July 3, 2014, a follow-up inspection was conducted and it was determined that all of the deficiencies had been corrected.

Action: The Respondent is required to: pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

30) Order Type and Number: Consent Order 14-107-DW
Order Date: July 24, 2014
Owner: **Mayfair Landlord, LLC**
Facility: Mayfair Lofts
Location: 100 West Cleveland Street
Spartanburg, SC 29301
Mailing Address: 201 Smythe Street
Greenville, SC 29611
County: Spartanburg
Previous Orders: None
Permit/ID Number: 42-1063B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Mayfair Landlord, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On May 27, 2014, 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: handrails were not tight and secure; a gate did not self close and latch; the drinking water fountain was not operating; the lettering on the “No Lifeguard On Duty – Swim At Your Own Risk” signs was not the appropriate size; the pool operator of record information was not posted; 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 four hundred dollars (**\$400.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

31) Order Type and Number: Consent Order 14-108-DW
Order Date: July 24, 2014
Respondent: **Cherry Grove Abbington, LLC**
Facility: Cherry Grove Commons
Location: 1100 David Street
North Myrtle Beach, SC 29582
Mailing Address: 380 Union Street, Suite 300

County: West Spring Field, MA 01089
Previous Orders: Horry
Permit/ID Number: None
Violations Cited: 26-R80-1
S.C. Code Ann. Regs. 61-51(J)

Summary: Cherry Grove Abbington, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 26, 2014, 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: a ladder was missing a bumper; the chlorine level was not within the acceptable range of water quality standards; the life ring was deteriorated; the pool rules sign was not completely filled out; only one “Shallow Water – No Diving Allowed” sign was posted; there were no “No Lifeguard On Duty – Swim At Your Own Risk” signs posted; the pool operator of record information was not posted; 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 four hundred dollars (**\$400.00**). The civil penalty has been paid.

32) Order Type and Number: Consent Order 14-109-DW
Order Date: July 24, 2014
Respondent: **Shiv of Chapin, LLC**
Facility: Shiv Mart
Location: 1865 Chapin Road
Chapin, SC 29036
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: 3279014
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F, 61-58.7

Summary: Shiv of Chapin, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On May 3, 2014, a violation was issued as a result of a review of monitoring records; and on May 12, 2014, the PWS was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform; and, failed to properly operate and maintain the PWS in that the sample tap was cracked, the well cover did not have a lock, and there was no emergency plan and procedures manual.

Action: The Respondent is required to: 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; correct the deficiencies; 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.

33) Order Type and Number: Consent Order 14-110-DW
Order Date: July 24, 2014
Owner: **Aumba Corporation**
Facility: Country Inn & Suites
Location: 865 Patriot Parkway
Rock Hill, SC 29730
Mailing Address: Same
County: York
Previous Orders: None
Permit/ID Number: 46-132-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Aumba Corporation (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 11, 2014, 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: a ladder was not tight and secure and was missing steps; the pool floor was dirty; the gate did not self close and latch; the foot rinse shower was not operating; the pump house was not clean; the pH level was not within the acceptable range of water quality standards; the pool rules sign was not completely filled out; the pool operator of record information was not posted; and, the bound and numbered log book was not available for Department review.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool closed until the deficiencies have been corrected; and, pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

34) Order Type and Number: Consent Order 14-111-DW
Order Date: July 24, 2014
Owner: **Southern Pines Apartments, LLC**
Facility: Southern Pines Apartments
Location: 350 Bryant Lane
Spartanburg, SC 29303
Mailing Address: 341 Vera Cliff Court
Oviedo, FL 32765
County: Spartanburg
Previous Orders: 13-057-DW (\$800.00)

Permit/ID Number: 42-076-1 and 42-077-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Southern Pines Apartments, LLC (Respondent) owns and is responsible for the proper operation and maintenance of two pools. On June 20, 2014, the pools were 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 lifeline floats were not properly spaced; the ladders were not tight and secure; the gate did not self close and latch; chlorine pucks were in the skimmer baskets; the pool rules sign was not completely filled out; only one "Shallow Water – No Diving Allowed" sign was posted; only one "No Lifeguard On Duty – Swim At Your Own Risk" sign was posted; the pool operator of record information was not posted; and, the disinfection equipment was not operating properly.

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 six hundred dollars (**\$1,600.00**).

35) Order Type and Number: Consent Order 14-112-DW
Order Date: July 24, 2014
Respondent: **York County**
Facility: York County East 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: 4620002
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 June 4, 2014, a violation was issued as a result of a review of monitoring records. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total trihalomethanes (TTHM).

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

36) Order Type and Number: Consent Order 14-113-DW
Order Date: July 28, 2014
Owner: **Heri Aum, LLC**
Facility: Ramada Inn Clemson
Location: 1310 Tiger Boulevard
Clemson, SC 29631
Mailing Address: Same
County: Pickens
Previous Orders: None
Permit/ID Number: 39-019-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Heri Aum, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On March 19, 2014, and June 10, 2014, 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 lifeline with floats was missing; the chlorine and pH levels were not within the acceptable range of water quality standards; the gate did not self close and latch; the skimmers did not have float valves; the flow meter was not operating; and, the bound and numbered log book was not maintained three times a week by the pool operator of record.

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 eight hundred dollars (**\$800.00**).

37) Order Type and Number: Consent Order 14-114-DW
Order Date: July 29, 2014
Respondent: **PRG Churchill Commons Associates, LLC**
Facility: Summerville Station
Location: 1660 Old Trolley Road
Summerville, SC 29485
Mailing Address: 2701 East Luzerne Street
Philadelphia, PA 19137
County: Dorchester
Previous Orders: None
Permit/ID Number: 18-030-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: PRG Churchill Commons Associates, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 13, 2014, 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: there were depth marker tiles missing; the skimmer covers

were cracked; there were chlorine tablets in the skimmer baskets; there was no drinking water fountain; the foot rinse shower was not operating; the chlorine and pH levels were not within the acceptable range of water quality standards; the pool rules sign did not meet the minimum rule requirement; there were no “Shallow Water – No Diving Allowed” signs posted; there were no “No Lifeguard On Duty – Swim At Your Own Risk” signs posted; and, the log book was not properly bound.

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 four hundred dollars (**\$400.00**).

Water Pollution Enforcement

38) Order Type and Number: Consent Order 14-026-W
Order Date: July 10, 2014
Respondent: **Buckeye Terminals, LLC**
Facility: Spartanburg Bulk Petroleum Storage Facility
Location: 680 Delmar Rd,
Spartanburg, SC 29302
Mailing Address: 5 Tek Park 9999 Hamilton Blvd
Breinigsville, PA 18031
County: Spartanburg
Previous Orders: None
Permit/ID Number: SCG340002
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2013), S.C. Code Ann. Regs. 61-9.122.21(d)(2) (2011).

Summary: Buckeye Terminals, LLC (Respondent) owns and is responsible for the proper operation and maintenance of its bulk petroleum storage facility located in Spartanburg County, South Carolina. On November 4, 2013, Department Staff notified the Respondent that the National Pollutant Discharge Elimination System (NPDES) permit would expire on July 31, 2014. On February 28, 2014, a Notice of Violation was issued. The Respondent violated the Pollution Control Act and Water Pollution Control Permits as follows: failed to submit an administratively complete application for renewal of its NPDES Permit to the South Carolina Department of Health and Environmental Control (Department) at least one hundred eighty (180) days prior to the expiration date of the permit.

Action: The Respondent is required to: continue to operate the facility in accordance with the most recently issued NPDES Permit until a new permit becomes effective; and, pay a civil penalty in the amount of one thousand dollars

(\$1,000.00).

39) Order Type and Number: Consent Order 14-027-W
Order Date: July 10, 2014
Respondent: **Buckeye Terminals, LLC**
Facility: Belton Bulk Petroleum Storage Facility
Location: 14300 Highway 20 North
Belton, SC 29627
Mailing Address: 5 Tek Park 9999 Hamilton Blvd
Breinigsville, PA 18031
County: Anderson
Previous Orders: None
Permit/ID Numbers: SCG340013
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2013), S.C. Code Ann. Regs. 61-9.122.21(d)(2) (2011).

Summary: Buckeye Terminals, LLC (Respondent) owns and is responsible for the proper operation and maintenance its bulk petroleum storage facility located in Anderson County, South Carolina. On November 4, 2013, the Respondent was notified that the National Pollutant Discharge Elimination System (NPDES) permit would expire on July 31, 2014. On March 5, 2014, a Notice of Violation was issued. The Respondent violated the Pollution Control Act and Water Pollution Control Permits as follows: failed to submit an administratively complete application for renewal of its National Pollutant Discharge Elimination System (NPDES) Permit to the South Carolina Department of Health and Environmental Control (Department) at least one hundred eighty (180) days prior to the expiration date of the permit.

Action: The Respondent is required to: continue to operate the facility in accordance with the most recently issued NPDES Permit until a new permit becomes effective; and, pay a civil penalty in the amount of one thousand dollars **(\$1,000.00).**

40) Order Type and Number: Consent Order 14-028-W
Order Date: July 17, 2014
Respondent: **Citgo Petroleum Corporation**
Facility: Spartanburg Bulk Petroleum Storage Facility
Location: 2590 Southport Road
Spartanburg, SC 29302
Mailing Address: Same
County: Spartanburg
Previous Orders: None

Permit/ID Number: SCG340008
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2013), S.C. Code Ann. Regs. 61-9.122.21(d)(2) (2011).

Summary: Citgo Petroleum Corp (Respondent) owns and is responsible for the proper operation and maintenance its bulk petroleum storage facility located in Spartanburg County, South Carolina. On November 4, 2013, Department Staff notified the Respondent that the National Pollutant Discharge Elimination System (NPDES) permit would expire on July 31, 2014. On February 20, 2014, a Notice of Violation was issued. The Respondent violated the Pollution Control Act and Water Pollution Control Permits as follows: failed to submit an administratively complete application for renewal of its National Pollutant Discharge Elimination System (NPDES) Permit to the South Carolina Department of Health and Environmental Control (Department) at least one hundred eighty (180) days prior to the expiration date of the permit.

Action: The Respondent is required to: continue to operate the facility in accordance with the most recently issued NPDES Permit until a new permit becomes effective; and pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

41) Order Type and Number: Consent Order 14-029-W
Order Date: July 24, 2014
Respondent: **Brewer Properties, LLC**
Facility: Holly Hill MDF Facility WWTF
Location: 1972 Gardner Blvd
Holly Hill, SC 29059
Mailing Address: Same
County: Orangeburg
Previous Orders: None
Permit/ID Number: SC0001147
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(Supp. 2013), S.C. Code Ann. Regs. 61-9.122.21(d)(2) (2011).

Summary: Brewer Properties, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility located in Orangeburg County, South Carolina. On November 4, 2013, and January 6, 2014, Department staff notified the Respondent that its National Pollutant Discharge Elimination System (NPDES) Permit would expire on July 31, 2014. On March 6, 2014, a Notice of Violation was issued. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to submit an administratively complete application for renewal of its NPDES Permit to the Department at least one hundred eighty (180) days prior to the expiration date of the permit.

Action: The Respondent is required to: continue to operate the facility in accordance with the most recently issued NPDES Permit until a new permit becomes effective; submit a complete application for renewal of the NPDES Permit; and, pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

42) Order Type and Number: Consent Order 14-032-W
Order Date: July 30, 2014
Respondent: **U.S. Fish and Wildlife Service**
Facility: Orangeburg National Fish Hatchery
Location: 427 Lakeview Drive
Orangeburg, SC 29115
Mailing Address: PO Box 410
Orangeburg, SC 29116
County: Orangeburg
Previous Orders: None
Permit/ID Number: SC0047023
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110(d) (2013), Water Pollution Control Permits, 3 S.C. Code Ann. Regs. 61-9.122.21(d), and National Pollutant Discharge Elimination System Permit Number SC0047023.

Summary: U.S. Fish and Wildlife Service (USFWS) (Respondent) owns and is responsible for the proper operation and maintenance of a fish hatchery. On March 5, 2014, a Notice of Violation (NOV) was issued as a result of USFWS failing to submit permit renewal documents as required by the permit or a permit cancellation notice. On May 1, 2014, a Notice of Violation was issued. The Respondent has violated the Pollution Control Act, Water Pollution Control Permits Regulation, and its National Pollutant Discharge Elimination System (NPDES) Permit by failing to submit a permit renewal application 180 days prior to the expiration of the existing permit.

Action: The Respondent is required to: submit an administratively complete application for renewal of the NPDES Permit within 30 days from the execution date of the Order; continue to discharge wastewater in accordance with the most recently issued NPDES Permit until a new permit becomes effective; and, pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to meet any requirement of the Order.

BUREAU OF AIR QUALITY

43) Order Type and Number: Consent Order 14-017-A
Order Date: July 10, 2014
Respondent: **Granite Contracting, LLC**

Facility: Granite Contracting, LLC
Location: 470 True Road
McConnells, SC 29726
Mailing Address: 18606 Northline Drive
Cornelius, NC 28031
County: York
Previous Orders: None
Permit/ID Number: 9900-0300
Violations Cited: 5 S.C. Code Ann. Regs. 61-62.1,
Section II, Permit Requirements

Summary: Granite Contracting, LLC (Respondent) operates a hot mix asphalt plant located at 470 True Road in McConnells, South Carolina. On July 15, 2013, the Department issued General Conditional Major Operating Permit 9900-0300 to the Respondent for existing sources of air contaminants. The Department conducted a comprehensive inspection on October 30, 2013, and a Notice of Alleged Violation was issued on April 7, 2014. The Respondent violated South Carolina Air Pollution Control Regulations and its Permit as follows: failed to perform and maintain records of visual inspections on the lime silo; failed to perform and maintain records of weekly operation and maintenance checks on the dryer baghouse; and, failed to perform and maintain records of daily visual inspections of the equipment loading/unloading areas, the mixing areas, and air pollution control equipment.

Action: The Respondent is required to: henceforth perform and maintain records of visual inspections for leaks and/or visible emissions when loading the lime silo; perform and maintain records of weekly operation and maintenance checks on the dryer baghouse; perform and maintain records of daily visual inspections of the equipment loading/unloading areas, the mixing areas, and air pollution control equipment; and, pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

44) Order Type and Number: Consent Order 14-018-A
Order Date: July 10, 2014
Respondent: **Duraclean of the Carolinas, LLC**
Facility: Commercial Building
Location: 3508 Sidney Rd.
Columbia, SC 29210
Mailing Address: P.O. Box 1845
Columbia, SC 29063
County: Lexington
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. EPA 40 CFR 61.145 and 7 S.C.
Code Ann. Regs. 61-86.1, Sections IV, V, and XII

Summary: Duraclean of the Carolinas, LLC (Respondent) specializes in commercial and residential cleaning and restoration. The Respondent engaged in a regulated asbestos project at a commercial building located at 3508 Sidney Rd., Columbia, South Carolina (site). On September 12, 2012, the Department conducted an inspection in response to a complaint of improper renovation activities occurring at the site, and a Notice of Alleged Violation was issued on December 2, 2013. The Respondent violated U.S. EPA and South Carolina Standards of Performance for Asbestos Projects as follows: failed to ensure that a building inspection was performed prior to beginning renovation activities; failed to use workers that were licensed by the Department while engaged in a regulated asbestos project; failed to obtain a Department-issued asbestos project license prior to engaging in a regulated asbestos project; failed to submit a written notice of intent to renovate to the Department prior to beginning a minor asbestos project; and, failed to ensure that required work practice requirements were adhered to while engaged in a minor asbestos project.

Action: The Respondent is required to: henceforth comply with all applicable requirements of state and federal asbestos regulations; not engage in future regulated projects unless licenses by the Department; henceforth ensure a building inspection is performed prior to engaging in future renovation projects; henceforth ensure that all applicable work practice, cleanup, disposal, and air sampling procedures are followed and performed in accordance with the regulations; and, pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**).

45) Order Type and Number: Consent Order 14-020-A
Order Date: July 10, 2014
Respondent: **New South Lumber Company Inc.**
Facility: New South Lumber Company Inc.
Location: 1100 Chesterfield Lumber Dr.
Darlington, SC 29532
Mailing Address: P.O. Box 97
Darlington, SC 29532
County: Darlington
Previous Orders: 09-029-A(\$3,000.00),13-001-A
(\$3,000.00)
Permit/ID Number: 0820-0045
Violations Cited: 24A S.C. Code Ann. Regs. 61-62.5
(Supp. 2013), Standard No. 1, Emissions From Fuel Burning Operations,
Section I.B and 24A S.C. Code Ann. Regs. 61-62.1, Section II, Permit
Requirements

Summary: New South Lumber Company, Inc. (Respondent) owns and operates a sawmill that produces dimensional southern yellow pine lumber at its

facility located at 1100 Chesterfield Lumber Dr. in Darlington, South Carolina. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-0820-0045 to the Respondent, effective January 1, 2010. On November 14, 2013, a Department inspector conducted an EPA Method 9 Visible Emissions Observation in response to a complaint of excess visual emissions. A Notice of Alleged Violation was issued on January 16, 2014. The Respondent violated South Carolina Air Pollution Control Regulations and its Permit as follows: failed to limit opacity from Boiler Number 2 to 20%.

Action: The Respondent is required to: comply with the opacity limit for Boiler #2 in accordance with the requirements of the Regulation and its Permit; and pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**).

46) <u>Order Type and Number:</u>	Consent Order 14-021-A
<u>Order Date:</u>	July 17, 2014
<u>Respondent:</u>	Quaker Chemical Company, Inc.
<u>Facility:</u>	Quaker Chemical Company, Inc.
<u>Location:</u>	1212 Elmore Street Columbia, SC 29203
<u>Mailing Address:</u>	P.O. Box 554 Columbia, SC 29202
<u>County:</u>	Richland
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	N/A
<u>Violations Cited:</u>	U.S. EPA 40 CFR 68, and 5 South Carolina Code Ann. Regs. 61-62.68 (Supp. 2013), Chemical Accident Prevention Provisions

Summary: Quaker Chemical Company, Inc. (Respondent) owns and operates a chemical facility that produces cleaning chemicals located at 1212 Elmore Street in Columbia, South Carolina (Site). On June 7, 2013, the Department conducted an investigation in response to a release of hydrofluoric acid on May 30, 2013. On August 15, 2013, the Respondent submitted an incident investigation report to the Department for the release. A Notice of Alleged Violation was issued on January 23, 2014. The Respondent violated South Carolina Air Pollution Control Regulations as follows: failed to identify all opportunities for equipment malfunctions or human errors that could cause an accidental release during its hazard review; failed to prepare written operating procedures that provide clear instructions for safely conducting activities associated with each covered process; and failed to implement all required prevention steps when conducting activities associated with each covered process.

Action: The Respondent is required to: comply with all applicable requirements of the 112(r) regulations; ensure that all bulk storage containers are stored under cover at all times; ensure that any off-site storage facility used to

store chemicals above threshold quantities, including hydrofluoric acid, complies with all requirements of the 112(r) regulations; and, pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

47) Order Type and Number: Consent Order 14-022-A
Order Date: July 17, 2014
Respondent: **The RJM Co., Inc. of Columbia**
Facility: Commercial Building
Location: 3508 Sidney Rd.
Columbia, SC 29210
Mailing Address: P.O. Box 1936,
Lexington, SC 29071
County: Lexington
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. EPA 40 CFR 61.145 and 7 S.C.
Code Ann. Regs. 61-86.1, Sections V, VI, and XII

Summary: The RJM Co., Inc. of Columbia (Respondent) owns a commercial building located at 3508 Sidney Rd., Columbia, South Carolina (site). The Respondent contracted Duraclean of the Carolinas, LLC to renovate the building. On September 12, 2012, the Department conducted an inspection in response to a complaint of improper renovation activities occurring at the site and a Notice of Alleged Violation was issued on December 2, 2013. The Respondent violated U.S. EPA and South Carolina Standards of Performance for Asbestos Projects as follows: failed to ensure that a building inspection was performed prior to beginning renovation activities; failed to ensure that each worker and supervisor employed at the abatement project site met the applicable training and licensing requirements; failed to submit a written notice of intent to renovate to the Department and obtain a project license prior to beginning a minor asbestos project; and, failed to ensure that required work practice requirements were adhered to while engaged in a minor asbestos project.

Action: The Respondent is required to: henceforth comply with all applicable requirements of state and federal asbestos regulations; henceforth ensure a building inspection is performed prior to engaging in future renovation projects; henceforth ensure that all applicable work practice, cleanup, disposal, and air sampling procedures are followed and performed in accordance with the regulations; submit to the Department a project design for the abatement of any remaining disturbed asbestos-containing material and cleanup of all contaminated areas within the building; contract a Department-licensed asbestos abatement contractor to abate any remaining disturbed asbestos-contaminated material as identified in the asbestos survey and in accordance with a Department-approved project design; pay a civil penalty in the amount of four thousand dollars

(\$4,000.00); and, pay a suspended penalty in the amount of four thousand dollars (\$4,000.00) should the Respondent fail to meet any requirement of the Order.

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

48) Order Type and Number: Consent Order #2014-206-03-015
Order Date: July 10, 2014
Respondent: **Sal Costagliola/Frank Schiano**
Facility: Schiano's Olde Tyme Pizza
Location: 10120 Two Notch Road
Columbia, SC 29223
Mailing Address: Same
County: Richland
Previous Orders: None
Permit Number: 40-206-01346
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Sal Costagliola and Frank Schiano (Respondents) operate Schiano's Old Tyme Pizza located in Columbia, South Carolina. On January 15, 2013, and January 10, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: maintain proper temperatures on all foods; maintain daily temperature logs for all holding temperatures; complete a food protection manager certification program; pay a civil penalty in the amount of five hundred dollars (\$500.00) and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

49) Order Type and Number: Consent Order #2014-206-03-035
Order Date: July 10, 2014
Respondent: **Robert Williams**
Facility: Lizard's Thicket #08
Location: 3147 Forest Drive
Columbia, SC 29204
Mailing Address: Same
County: Richland
Previous Orders: None
Permit Number: 40-206-03908
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Robert Williams (Respondent) operates Lizard's Thicket #08 located in Columbia, South Carolina. On February 20, 2013, and February 11, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: follow proper procedures for hot holding products; maintain daily temperature logs for all holding temperatures; maintain proper temperatures on all foods; complete a food protection manager certification program; pay a civil penalty in the amount of five hundred dollars (\$500.00) and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

50)	<u>Order Type and Number:</u>	Consent Order #2014-206-03-022
	<u>Order Date:</u>	July 10, 2014
	<u>Respondent:</u>	Robert Williams
	<u>Facility:</u>	Lizard's Thicket #01
	<u>Location:</u>	10170 Two Notch Road Columbia, SC 29201
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Richland
	<u>Previous Orders:</u>	None
	<u>Permit Number:</u>	40-206-01251
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Robert Williams (Respondent) operates Lizard's Thicket #01 located in Columbia, South Carolina. On January 17, 2013, and January 13, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: follow proper procedures for hot holding products; maintain daily temperature logs for all holding temperatures; maintain proper temperatures on all foods; complete a food protection manager certification program; pay a civil penalty in the amount of five hundred dollars (\$500.00) and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

51)	<u>Order Type and Number:</u>	Consent Order #2014-206-03-023
	<u>Order Date:</u>	July 10, 2014
	<u>Respondent:</u>	Nabil Hussein
	<u>Facility:</u>	Pizza Palace

Location: 1314 Leesburg Road
Columbia, SC 29209
Mailing Address: Same
County: Richland
Previous Orders: None
Permit Number: 40-206-04200
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter
II, Section B.1

Summary: Nabil Hussein (Respondent) operates Pizza Palace located in Columbia, South Carolina. On February 21, 2013, and February 19, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: maintain daily temperature logs for all holding temperatures at a minimum of three (3) times daily; maintain proper temperatures on all foods; complete a food protection manager certification program; pay a civil penalty in the amount of five hundred dollars (**\$500.00**) and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

52) Order Type and Number: Consent Order #2013-206-03-037
Order Date: July 10, 2014
Respondent: **FaLu Ye**
Facility: Ichiban Hibachi and Sushi Buffet
Location: 7550 Garners Ferry Road
Columbia, SC 29209
Mailing Address: Same
County: Richland
Previous Orders: None
Permit Number: 40-206-07119
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter
II, Section B.1

Summary: FaLu Ye (Respondent) operates Ichiban Hibachi and Sushi Buffet located in Columbia, South Carolina. On September 9, 2013, and October 29, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: maintain proper holding temperatures of potentially hazardous foods; and, pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

53) Order Type and Number: Consent Order #2014-206-03-017
Order Date: July 17, 2014
Respondent: **Rui Ping Li**
Facility: Dragon City
Location: 2410 Augusta Road
West Columbia, SC 29169
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit Number: 32-206-02085
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter
II, Section B.1

Summary: Rui Ping Li (Respondent) operates Dragon City located in West Columbia, South Carolina. On February 13, 2013, and February 7, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: establish operational monitoring procedures for checking hot and cold temperatures twice daily; maintain the facility in accordance to regulation; and, pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**).

54) Order Type and Number: Consent Order #2013-206-03-032
Order Date: July 17, 2014
Respondent: **George Gallis**
Facility: Nishie G's Cafe
Location: 706 Mt. Gallant Road
Rock Hill, SC 29730
Mailing Address: Same
County: York
Previous Orders: None
Permit Number: 46-206-01890
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter
II, Section B.1

Summary: George Gallis (Respondent) owns and operates Nishie G's Cafe located in Rock Hill, South Carolina. On March 15, 2013, and July 19, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: complete a food protection manager certification course; maintain all hot holding boxes in accordance to

regulation; establish operational monitoring procedures for checking hot and cold temperatures daily; maintain proper holding temperatures of potentially hazardous foods in accordance to regulation; maintain the facility in accordance to regulation; pay a civil penalty in the amount of five hundred dollars (**\$500.00**) and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

55) Order Type and Number: Consent Order #2013-206-03-033
Order Date: July 17, 2014
Respondent: **George Gallis**
Facility: Nishie G's 2 Cafe
Location: 727 Dilworth Lane
Rock Hill, SC 29730
Mailing Address: Same
County: York
Previous Orders: None
Permit Number: 46-206-02374
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: George Gallis (Respondent) owns and operates Nishie G's 2 Cafe located in Rock Hill, South Carolina. On July 11, 2013, and September 11, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: complete a food protection manager certification course; maintain all hot holding boxes in accordance to regulation; establish operational monitoring procedures for checking hot and cold temperatures daily; maintain proper holding temperatures of potentially hazardous foods in accordance to regulation; maintain the facility in accordance to regulation; pay a civil penalty in the amount of five hundred dollars (**\$500.00**); and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

56) Order Type and Number: Consent Order #2014-206-03-002
Order Date: July 17, 2014
Respondent: **Yao Yi Jiang**
Facility: Saiki Restaurant
Location: 709 Crossroad Plaza
Fort Mill, SC 29708
Mailing Address: Same
County: York
Previous Orders: None

Permit Number: 46-206-03114
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Yao Yi Jiang (Respondent) owns and operates Saiki Restaurant located in Fort Mill, South Carolina. On August 19, 2013, and December 31, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: establish operational monitoring procedures for checking hot and cold temperatures daily twice daily; maintain proper holding temperatures of potentially hazardous foods in accordance to regulation; maintain the facility in accordance to regulation; complete a food protection manager certification course; pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**); and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

57) Order Type and Number: Consent Order #2014-206-03-013
Order Date: July 17, 2014
Respondent: **Kenneth Shettle**
Facility: Chuggers
Location: 420C McNulty Street
Blythewood, SC 29016
Mailing Address: 326 Mount Valley Road
Blythewood, SC 29016
County: Richland
Previous Orders: None
Permit Number: 40-206-06608
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Kenneth Shettle (Respondent) owns and operates Chuggers located in Blythewood, South Carolina. On January 11, 2013, and January 8, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: maintain proper temperature control of all deli meat products in accordance to regulation; maintain proper holding temperatures of all potentially hazardous foods in accordance to regulation; maintain the facility in accordance to regulation; complete a food protection manager certification course; pay a civil penalty in the amount of five hundred dollars (**\$500.00**); and, pay a stipulated penalty in the amount of two

hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

58) Order Type and Number: Consent Order #2014-206-08-002
Order Date: July 17, 2014
Respondent: **He Jin Lin**
Facility: Sake House
Location: 1017 Fording Island Road, Suite
104-106, Bluffton, SC 29910
Mailing Address: Same
County: Beaufort
Previous Orders: None
Permit Number: 07-206-09376
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter
II, Section B.1

Summary: He Jin Lin (Respondent) owns and operates Sake House located in Bluffton, South Carolina. On May 21, 2013, and February 10, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: maintain proper temperature control of the shrimp during all phases of preparation in accordance to regulation; maintain proper holding temperatures of all potentially hazardous foods in accordance to regulation; maintain the facility in accordance to regulation; complete a food protection manager certification course; pay a civil penalty in the amount of five hundred dollars (**\$500.00**) and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

59) Order Type and Number: Consent Order #2014-206-03-018
Order Date: July 10, 2014
Respondent: **Paul Skeparnls**
Facility: Ocean View II Seafood
Location: 100 Knox Abbott Drive
Cayce, SC 29033
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit Number: 32-206-05963
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter
II, Section B.1

Summary: Paul Skeparnlis (Respondent) owns and operates Ocean View II Seafood located in Cayce, South Carolina. On August 15, 2013, and December 3, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: maintain proper holding temperatures of all potentially hazardous foods in accordance to regulation; establish operational monitoring procedures for checking cold holding temperatures in accordance to regulation; maintain the facility in accordance to regulation; complete a food protection manager certification course; pay a civil penalty in the amount of five hundred dollars (**\$500.00**); and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

60) <u>Order Type and Number:</u>	Consent Order #2014-206-05-002
<u>Order Date:</u>	July 10, 2014
<u>Respondent:</u>	Lin Chong Ching
<u>Facility:</u>	China Buffet
<u>Location:</u>	1475 John C. Calhoun Drive Orangeburg, SC 29115
<u>Mailing Address:</u>	Same
<u>County:</u>	Orangeburg
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	38-206-01596
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Lin Chong Ching (Respondent) owns and operates China Buffet located in Orangeburg, South Carolina. On June 18, 2013, and December 16, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: establish operational monitoring procedures for checking hot and cold holding temperatures on the buffet line in accordance to regulation; maintain the facility in accordance to regulation; complete a food protection manager certification course; pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**); and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

61) <u>Order Type and Number:</u>	Consent Order #2014-206-06-002
<u>Order Date:</u>	July 10, 2014

Respondent: **Pete Lloyd**
Facility: Good Times Charley's
Location: 1302 Celebrity Circle #160
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-11709
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter
V, Section A.4.b.

Summary: Pete Lloyd (Respondent) owns and operates Good Times Charley's located in Myrtle Beach, South Carolina. On October 15, 2013, and December 11, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper concentration of sanitizer in the warewasher (dish machine).

Action: The Respondent is required to: establish operational monitoring procedures for checking proper operation of the warewashing machine twice daily, in accordance to regulation; maintain the facility in accordance to regulation; and, pay a civil penalty in the amount of seven hundred fifty dollars (**\$750.00**).

62) Order Type and Number: Consent Order #2014-206-02-019
Order Date: July 10, 2014
Respondent: **Tim Treadway**
Facility: Ingles Deli #251
Location: 410 Pelzer Highway
Easley, SC 29640
Mailing Address: Same
County: Pickens
Previous Orders: None
Permit Number: 39-206-00974
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter
II, Section B.1

Summary: Tim Treadway (Respondent) owns and operates Ingles Deli #251 located in Pickens, South Carolina. On March 25, 2013, and February 3, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: establish operational monitoring procedures for checking hot holding temperatures on the buffet line, in accordance to regulation; maintain proper holding temperatures of potentially hazardous foods, in accordance to regulation; complete a food protection manager certification course; pay a civil penalty in the amount of five hundred dollars (**\$500.00**); and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

63) Order Type and Number: Consent Order #2013-206-04-006
Order Date: July 10, 2014
Respondent: **Jashvant Patel**
Facility: Jefferson Food Plaza
Location: 105 South Main Street
Jefferson, SC
Mailing Address: same
County: Chesterfield
Previous Orders: None
Permit Number: 13-206-01401
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Jashvant Patel (Respondent) owns and operates Jefferson Food Plaza located in Jefferson, South Carolina. On June 5, 2013, and July 26, 2013, the Department conducted routine inspections. On June 12, 2013, and August 1, 2013, the Department conducted follow-up inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: operate and maintain all hot holding units, in accordance to regulation; establish operational monitoring procedures for checking temperatures, in accordance to regulation; maintain proper holding temperatures of potentially hazardous foods, in accordance to regulation; operate and maintain the facility in accordance to regulation; and, pay a civil penalty in the amount of one thousand, nine hundred sixty-eight dollars and seventy-five cents (**\$1,968.75**).

64) Order Type and Number: Consent Order #2014-206-03-025
Order Date: July 10, 2014
Respondent: **Sangita Patel**
Facility: Quick Stop
Location: 9102 Farrow Road
Columbia, SC 29203
Mailing Address: Same
County: Richland

Previous Orders: None
Permit Number: 40-206-06837
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Sangita Patel (Respondent) owns and operates Quick Stop located in Columbia, South Carolina. On February 22, 2013, and February 18, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: establish operational monitoring procedures for checking hot holding temperatures twice daily, in accordance to regulation; maintain proper holding temperatures of potentially hazardous foods, in accordance to regulation; operate and maintain the facility in accordance to regulation and; pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

65) Order Type and Number: Consent Order #2014-206-03-033
Order Date: July 10, 2014
Respondent: **Vincente C. Telez**
Facility: El Mariachi
Location: 1078 Sunset Blvd.
West Columbia, SC 29169
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit Number: 32-211-05825
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Vincente C. Telez (Respondent) owns and operates El Mariachi located in West Columbia, South Carolina. On November 19, 2013, and January 10, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: establish operational monitoring procedures for checking temperatures twice daily, in accordance to regulation; maintain proper holding temperatures of potentially hazardous foods, in accordance to regulation; complete a food protection manager certification course; maintain the facility in accordance with the regulation; pay a civil penalty in the amount of five hundred dollars (**\$500.00**); and, pay a stipulated penalty in

the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

66) Order Type and Number: Consent Order #2014-206-02-013
Order Date: July 24, 2014
Respondent: **Lin Jinshi**
Facility: Great Wall II
Location: 1527-B Poinsett Hwy
Greenville, SC 29609
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit Number: 23-206-09200
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1; S.C. Code Ann. Regs. 61-25 Chapter VI, Section A.4

Summary: Lin Jinshi (Respondent) owns and operates Great Wall II located in Greenville, South Carolina. On July 3, 2013, and January 27, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures and hot water temperature was less than the required minimum of 140°F.

Action: The Respondent is required to: maintain proper holding temperatures of potentially hazardous foods, in accordance to regulation; operate and maintain the facility in accordance with the regulation; complete a food protection manager certification course; pay a civil penalty in the amount of five hundred dollars (**\$500.00**); and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

67) Order Type and Number: Consent Order #2013-206-02-003
Order Date: July 24, 2014
Respondent: **Jason Fletcher**
Facility: The Green Room
Location: 116 North Main Street
Greenville, SC 29601
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit Number: 23-206-09849
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Jason Fletcher (Respondent) operates The Green Room located in Greenville, South Carolina. On May 3, 2013, and December 6, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: establish operational monitoring procedures for checking cold and hot holding temperatures, in accordance to the regulation; maintain proper holding temperatures of potentially hazardous foods, in accordance to regulation; operate and maintain the facility in accordance with the regulation; complete a food protection manager certification course; pay a civil penalty in the amount of five hundred dollars (**\$500.00**); and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

68)	<u>Order Type and Number:</u>	Consent Order #2014-206-02-010
	<u>Order Date:</u>	July 22, 2014
	<u>Respondent:</u>	Lina Franco
	<u>Facility:</u>	El Paisa Bakery & Restaurant
	<u>Location:</u>	461 CCC Camp Road Greer, SC 29650
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Spartanburg
	<u>Previous Orders:</u>	None
	<u>Permit Number:</u>	23-206-10635
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1

Summary: Lina Franco (Respondent) owns and operates El Paisa Bakery & Restaurant located in Greer, South Carolina. On June 4, 2013, and October 14, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: establish operational monitoring procedures for checking cold and hot holding temperatures three (3) times daily, in accordance to the regulation; operate and maintain the facility in accordance with the regulation; complete a food protection manager certification course; pay a civil penalty in the amount of five hundred dollars (**\$500.00**); and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

69)	<u>Order Type and Number:</u>	Consent Order #2014-206-02-011
	<u>Order Date:</u>	July 24, 2014

Respondent: **Zai An Zhu**
Facility: Shang Hai Chinese
Location: 1300 South Highway 14, Suite A
Greer, SC 29650
Mailing Address: same
County: Spartanburg
Previous Orders: None
Permit Number: 23-206-10131
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter
II, Section B.1

Summary: Zai An Zhu (Respondent) owns and operates Shang Hai Chinese located in Greer, South Carolina. On July 24, 2013, and January 9, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: establish operational monitoring procedures for checking cold and hot holding temperatures on the buffet line, in accordance to the regulation; maintain proper holding temperatures of potentially hazardous foods in accordance with the regulation; operate and maintain the facility in accordance with the regulation; and, pay a civil penalty in the amount of five hundred dollars (**\$750.00**).

70) Order Type and Number: Consent Order #2014-206-03-061
Order Date: July 24, 2014
Respondent: **Lau Fung**
Facility: China Kitchen
Location: 2419 Forest Drive
Columbia, SC 29204
Mailing Address: Same
County: Richland
Previous Orders: None
Permit Number: 40-206-05974
Violations Cited: S.C. Code Ann. Regs. 61-25 Chapter
II, Section B.1

Summary: Lau Fung (Respondent) owns and operates China Kitchen located in Columbia, South Carolina. On March 15, 2013, and March 10, 2014, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to maintain proper holding temperatures.

Action: The Respondent is required to: establish operational monitoring procedures for checking cold holding temperatures, in accordance to the

regulation; maintain proper holding temperatures of potentially hazardous foods in accordance with the regulation; operate and maintain the facility in accordance with the regulation; complete a food protection manager certification course; pay a civil penalty in the amount of five hundred dollars (**\$500.00**); and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the Respondent fail to meet any requirement of the Order.

DIVISION OF OCEAN AND COASTAL RESOURCE MANAGEMENT

71) Order Type and Number: Consent Order 13C-006Pb
Order Date: July 1, 2014
Respondent: **Mark Jaskiewicz d.b.a. High Water Mark Marine Construction**
Location: 1300 N. Edgewater Drive
Charleston, SC 29407
Mailing Address: 41 Lombardi Lane
Hanahan, SC 29410
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), 23A S.C. Code Ann. Regs. 30-12(A)(2)(c)(vii), and 23A S.C. Code Ann. Regs. 30-12(A)(2)(c)(iv).

Summary: Mark Jaskiewicz d.b.a. High Water Mark Marine Construction (Respondent) is a contractor that conducted unauthorized work in the tidelands critical area. An inspection at the site was conducted on July 18, 2013, and a Notice of Violation and Admission Letter was issued on September 3, 2013. The Respondent has violated the Coastal Zone Management Act and Critical Area Permitting Regulations by constructing an unauthorized private recreational dock as well as an unauthorized boat storage structure in the tidelands 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**).

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