

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
August 11, 2022

_____ ACTION/DECISION

 X INFORMATION

1. **TITLE:** Administrative and Consent Orders issued by the Office of Environmental Affairs.
2. **SUBJECT:** Administrative and Consent Orders issued by the Office of Environmental Affairs during the period June 1, 2022, through June 30, 2022.
3. **FACTS:** For the reporting period of June 1, 2022, through June 30, 2022, the Office of Environmental Affairs issued forty-five (45) Consent Orders with total assessed civil penalties in the amount of two hundred forty-five thousand, five hundred ninety dollars (\$245,590.00). Also, ten (10) Administrative Orders with total assessed civil penalties in the amount of sixty-two thousand, four hundred seventy-five dollars (\$62,475.00) were reported during this period.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
Land and Waste Management				
UST Program	3	\$62,475.00	5	\$46,420.00
Aboveground Tanks	0	0	0	0
Solid Waste	0	0	1	\$2,300.00
Hazardous Waste	0	0	2	\$13,650.00
Infectious Waste	0	0	0	0
Mining	0	0	0	0
SUBTOTAL	3	\$62,475.00	8	\$62,370.00
Water				
Recreational Water	0	0	4	\$2,160.00
Drinking Water	0	0	1	0
Water Pollution	0	0	11	\$149,360.00
Dam Safety	0	0	0	0
SUBTOTAL	0	0	16	\$151,520.00
Air Quality				
SUBTOTAL	0	0	3	\$10,000.00
Environmental Health Services				
Food Safety	0	0	15	\$19,700.00
Onsite Wastewater	7	0	3	\$2,000.00
SUBTOTAL	7	0	18	\$21,700.00
OCRM				
SUBTOTAL	0	0	0	0
TOTAL	10	\$62,475.00	45	\$245,590.00

Submitted by:



Myra C. Reece
Director of Environmental Affairs

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
August 11, 2022**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 22-0029-UST
 Order Date: April 25, 2022
 Individual/Entity: **Eula McGuire**
 Facility: Express Mart
 Location: 1025 Pole Branch Road
 Clover, SC 29710
 Mailing Address: 2975 Pump Station Road
 Rock Hill, SC 29730

 County: York
 Previous Orders: None
 Permit/ID Number: 17835
 Violations Cited: The State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-
 2-10 et seq. and § 44-2-60(A) (2018); and South Carolina Underground Storage
 Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.22(b), 280.31(a),
 280.34(c), 280.35(a)(1)(ii), 280.35(a)(2), 280.36(a)(1)(i), 280.36(a)(1)(ii),
 280.40(a), 280.40(a)(2), 280.40(a)(3), 280.41(b)(1)(i)(B), 280.43(d), 280.44(a),
 280.45(b)(1), 280.93(a), 280.110(c), 280.242(b)(3), 280.242(b)(4), and 280.243(a)
 (2012 & Supp 2020).

Summary: Eula McGuire (Individual/Entity) owns and operates underground storage tanks in York County, South Carolina. Based on an inspection on September 30, 2021, and file reviews on October 5, and November 18, 2021, the Department issued Notices of Alleged Violations. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to submit a notice of ownership change to the Department on a Department approved form within thirty (30) days of acquisition of an UST system; failed to continuously maintain cathodic protection system; failed to provide records to the Department upon request; failed to conduct triennial spill bucket integrity tests; failed to inspect overfill prevention equipment at least once every three (3) years; failed to conduct monthly and annual walkthrough inspections; failed to provide an adequate release detection method; failed to properly maintain release detection equipment; failed to test tank release detection equipment annually; failed to conduct annual tightness test or have monthly monitoring of pressurized piping; failed to conduct proper release detection using an automatic tank gauge; failed to conduct an annual test of automatic line leak detectors and/or sump sensors; failed to maintain records for at least one (1) year; failed to demonstrate financial responsibility for an UST system; failed to submit evidence of financial assurance to the Department upon request; failed to validate that monthly requirements had been performed; failed to physically visit each assigned facility once a quarter; failed to obtain supplemental Class A/B Operator training before May 26, 2020; and failed to display the registration certificate in a conspicuous location.

Action: The Individual/Entity is required to submit: a completed Transfer of Ownership form (D-3871); passing release detection equipment operability test results for all compartments of the UST; passing overfill prevention equipment operability test results for all compartments of the UST; passing triennial hydrostatic test results for all spill buckets associated with the UST; proof that metal components in all STP sumps have been isolated from soil and/or water; passing line tightness test results for all compartments of the UST; submit passing line leak detector function check test results for all compartments of the UST; either ten (10) of twelve (12) months of ATG test results with the most recent two (2) months passing or tank tightness tests results for all compartments of the UST, and submit a passing ATG result for all compartments of the UST; proof that a Class A/B Operator/Walkthrough log (D-3185) has been initiated and is being properly maintained; proof the Class A/B operator (Jugnesh Patel) has completed supplemental Class A/B operator training; proof the registration certificate is displayed prominently in the Facility; and submit a completed Certificate of Financial Responsibility and evidence of financial assurance by July 22, 2022. The Department has assessed a civil penalty in the amount of thirty-six thousand, one hundred dollars (\$36,100.00). The Individuals/Entities shall pay a civil penalty in the amount of thirty-six thousand, one hundred dollars (**\$36,100.00**) by July 22, 2022.

Update: The Individual/Entity did not file a Request for Review. Referred to Office of General Counsel for further action.

2) Order Type and Number: Administrative Order 22-0053-UST
Order Date: May 26, 2022
Individual/Entity: **Madhuras Realty, LLC**
Facility: Madhuras Realty, LLC
Location: 117 South Boundary Street
Manning, SC 29102
Mailing Address: Same
County: Clarendon
Previous Orders: None
Permit/ID Number: 02403
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. and § 44-2-10(A) (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.21(a)(3), 280.31(a), and 280.70(c) (2012 & Supp 2020).

Summary: Madhuras Realty, LLC (Individual/Entity) owns and operates underground storage tanks (USTs) in Clarendon County, South Carolina. Based on a file review, the Department issued a Notice of Alleged Violation on October 20, 2021. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to properly close a substandard UST system as required in Subparts G and F; failed to continuously maintain a cathodic protection system; and failed to properly abandon a temporarily closed UST system after twelve (12) months.

Action: The Individual/Entity is required to submit a completed UST Tank and Sludge Disposal Form for the permanent closure of the 10,000-gallon plus UST by July 29, 2022, and, within thirty (30) days of the Department's approval of the UST Tank and Sludge Disposal Form, permanently close the 10,000-gallon plus UST, and within sixty (60) days of the permanent closure of the 10,000-gallon plus UST, submit an UST Closure and Assessment Report. The Department has assessed a civil penalty in the amount of

sixteen thousand, eight hundred dollars (\$16,800.00). The Individual/Entity shall pay a civil penalty in the amount of sixteen thousand, eight hundred dollars (**\$16,800.00**) by July 29, 2022.

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

- 3) Order Type and Number: Administrative Order 22-0065-UST
Order Date: May 27, 2022
Individual/Entity: **Yogibapa of Ellore, LLC**
Facility: Ocean Grocery
Location: 6409 Dick Pond Road
Myrtle Beach, SC 29588
Mailing Address: 4308 Broad Street Extension
Sumter, SC 29154-1633
County: Horry
Previous Orders: None
Permit/ID Number: 10344
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. §§ 44-2-10 *et seq.* (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.21(b), 280.21(c), 280.31(a), 280.70(a), and 280.70(c) (2012 and Supp. 2020).

Summary: Yogibapa of Ellore, LLC (Individual/Entity) owns and operates underground storage tanks (USTs) in Horry County, South Carolina. On November 3, 2021, the Department conducted an inspection and issued a Notice of Alleged Violation (NOAV). The Individual/Entity has violated the SUPERB Act and South Carolina Underground Storage Tank Control Regulation as follows: failed to protect an operating UST system from corrosion; failed to operate and maintain corrosion protection equipment continuously; failed to maintain corrosion protection or appropriate release detection on a temporarily closed UST; and failed to permanently close a UST system that has been temporarily out of service for greater than twelve (12) months and does not meet current corrosion protection standards.

Action: The Individual/Entity is required to: submit proof the 2,000-gallon non-ethanol UST contains less than one (1) inch of residue; submit a completed Tank and Sludge Disposal form for the permanent closure of the 2,000-gallon non-ethanol UST and permanently close the UST within forty-five (45) days of the Department's approval of the Tank and Sludge form; and within sixty (60) days after permanent closure of the 2,000-gallon UST, submit an UST Closure and Assessment Report. The Department has assessed a total civil penalty in the amount of nine thousand, five hundred seventy-five dollars (\$9,575.00). The Individual/Entity shall pay a civil penalty in the amount of nine thousand, five hundred seventy-five dollars (**\$9,575.00**) by August 6, 2022.

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

- 4) Order Type and Number: Consent Order 22-0076-UST
Order Date: June 14, 2022
Individual/Entity: **Jaisy & Sahil VI, LLC**
Facility: Food Fare 2
Location: 7426 Hunt Club Road

Mailing Address: Columbia, SC 29223
315 Mallet Hill Road
Columbia, SC 29223-3224

County: Clarendon

Previous Orders: AO 19-0182-UST (\$3,000.00)

Permit/ID Number: 07885

Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. §§ 44-2-10 *et seq.* (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.20(h)(4), 280.34(c), 280.36(a)(1)(i), 280.36(a)(1)(ii), 280.40(a), 280.41(b)(1)(i)(B), 280.43(g), 280.44(a), 280.45(b)(1), 280.242(b)(3), 280.242(b)(4), 280.243(c), and 280.245, (2012 and Supp. 2020).

Summary: Jaisy & Sahil VI, LLC (Individual/Entity) owns underground storage tanks (USTs) in Richland County, South Carolina. On January 12, 2022, the Department conducted an inspection and issued a Notice of Alleged Violation (NOAV). The Individual/Entity has violated the SUPERB Act and South Carolina Underground Storage Tank Control Regulation as follows: failed to have properly designed, constructed, installed, and maintained secondary containment systems; failed provide records to the Department upon request; failed to check and document monthly required equipment walkthrough inspections; failed to check and document annually required equipment walkthrough inspections; failed to provide an adequate release detection method; failed to conduct an annual line tightness test or monitor pressurized piping monthly; failed to conduct proper release detection using Interstitial Monitoring (IM); failed to check line leak detector function annually; failed to maintain results of annual operation tests for at least one (1) year; failed to validate that monthly requirements have been met; failed to physically visit each assigned facility once a quarter; failed to train Class C operators before they assume responsibility for the UST facility; and failed to designate and list all Class C operators.

Action: The Individual/Entity is required to submit: either IM records equal to ten (10) of twelve (12) months with the most recent two (2) months passing or current passing tank tightness test results, line tightness test results, and a current passing IM record for both compartments of the UST at the Facility; line leak detector function check test results for both compartments of the UST; proof a dispenser sump visual monitoring log has been initiated and is being properly maintained; proof a Class A/B Operator/Walkthrough Inspection log has been initiated and is being properly maintained; and a list of Class C operators trained and designated for the Facility. The Department has assessed a total civil penalty in the amount of six thousand, nine hundred twenty dollars (\$6,920.00). The Individual/Entity shall pay a civil penalty in the amount of six thousand, nine hundred twenty dollars (**\$6,920.00**) by July 29, 2022.

Update: None

5) Order Type and Number: Consent Order 22-0141-UST
Order Date: June 21, 2022
Individual/Entity: **Kenneth & Sarilla Cosgrove**
Facility: Corner Mart 24
Location: 991 Pine Street
Spartanburg, SC 29303
Mailing Address: P.O. Box 2969

Greenville, SC 29602

County: Spartanburg
Previous Orders: None
Permit/ID Number: 08278
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.20(c)(1)(ii) (2012 & Supp 2020).

Summary: Kenneth & Sarilla Cosgrove (Individual/Entity) own underground storage tanks (USTs) in Spartanburg County, South Carolina. On May 13, 2022, the Department conducted an inspection and issued a Notice of Alleged Violation. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to maintain overfill prevention equipment.

Action: The Individual/Entity corrected all violations prior to issuance of the Order. The Department has assessed a total penalty in the amount of six thousand dollars (\$6,000.00). The Individual/Entity shall pay a total civil penalty in the amount of six thousand dollars (**\$6,000.00**) by August 6, 2022.

Update: The civil penalty payment was received on June 13, 2022. The Order is closed.

6) Order Type and Number: Consent Order 22-0113-UST
Order Date: June 24, 2022
Individual/Entity: **Manjit Singh & Sandhu Gurmits**
Facility: Smitty's Country Store
Location: 2035 Main Street
Silverstreet, SC 29145
Mailing Address: Same
County: Newberry
Previous Orders: None
Permit/ID Number: 06580
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.20(c)(1)(ii) (2012 & Supp 2020).

Summary: Manjit Singh & Sandhu Gurmits (Individual/Entity) own underground storage tanks (USTs) in Newberry County, South Carolina. On March 30, 2022, the Department conducted an inspection and issued a Notice of Alleged Violation. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to equip an upgraded UST system with overfill prevention equipment.

Action: The Individual/Entity corrected all violations prior to issuance of the Order. The Department has assessed a total penalty in the amount of twenty-one thousand dollars (\$21,000.00). The Individual/Entity shall pay a total civil penalty in the amount of twenty-one thousand dollars (**\$21,000.00**) in accordance with a promissory note.

Update: The first installment payment has been made.

7) Order Type and Number: Consent Order 22-0046-UST
Order Date: June 21, 2022
Individual/Entity: **Premier Petroleum, Inc.**
Facility: Action Fuels Shell Food Mart
Location: 1500 East Greenville Street
Anderson, SC 29624
Mailing Address: 2145 Duluth Highway
Duluth, GA 30097
County: Anderson
Previous Orders: None
Permit/ID Number: 00707
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. §§ 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.20(a)(2)(iv), 280.31(b)(1), 280.34(c), and 280.70(a) & (c) (2012 & Supp 2020).

Summary: Premier Petroleum, Inc. (Individual/Entity) owns underground storage tanks (USTs) in Anderson County, South Carolina. On December 9, 2021, the Department conducted an inspection and issued a Notice of Alleged Violation. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to ensure a cathodic protection system is operated and maintained in accordance with Section 280.31 or according to guidelines established by the Department; failed to test the cathodic protection system by a qualified tester once every three (3) years; failed to operate and maintain a corrosion protection system on a temporarily closed UST; failed to provide records to the Department upon request; and failed to permanently close a UST system that has been temporarily out of service for greater than twelve (12) months and does not meet current performance standards in Section 280.20 or upgrading requirements in Section 280.21.

Action: The Individual/Entity is required to: within forty-five (45) days of the execution date of the Order, the Individual/Entity shall submit a Tank and Sludge Disposal Form; within thirty (30) days of the Department's approval of the Tank and Sludge Disposal Form, permanently close the USTs; and within sixty (60) days of the permanent closure of the USTs, submit an UST Closure and Assessment Report. The Department has assessed a total penalty in the amount of forty-two thousand, two hundred dollars (\$42,200.00). The Individual/Entity shall pay a civil penalty in the amount of six thousand, five hundred dollars (**\$6,500.00**) by July 5, 2022 and pay a suspended penalty in the amount of thirty-five thousand, seven hundred dollars (\$35,700.00) should any of the requirements not be met.

Update: A Tank and Sludge Disposal Form has been received and approved. Tanks were permanently closed on June 29, 2022. The civil penalty has been paid.

8) Order Type and Number: Consent Order 22-0089-UST
Order Date: June 28, 2022
Individual/Entity: **Samer Express LLC**
Facility: Samer Express
Location: 295 Glenn Rd.
West Columbia, SC 29172
Mailing Address: Same

County: Lexington
Previous Orders: None.
Permit/ID Number: 19853
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.20(c)(1)(ii) (2012 & Supp 2020).

Summary: Samer Express LLC (Individual/Entity) owns underground storage tanks (USTs) in Lexington County, South Carolina. On March 2, 2022, the Department conducted an inspection and issued a Notice of Alleged Violation. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to maintain overfill prevention equipment of an underground storage tank.

Action: The Individual/Entity corrected all violations prior to issuance of the Order. The Department has assessed a total penalty in the amount of six thousand dollars (\$6,000.00). The Individual/Entity shall pay a total civil penalty in the amount of six thousand dollars (**\$6,000.00**) in accordance with a promissory note.

Update: The first two payments on the civil penalty have been received.

Solid Waste Enforcement

9) Order Type and Number: Consent Order 22-09-SW
Order Date: June 14, 2022
Individual/Entity: **City of Tega Cay**
Facility: City of Tega Cay Municipal Wood Chipping Facility
Location: 1726 Gardendale Road
Fort Mill, SC 29708
Mailing Address: 7725 Tega Cay Drive
Tega Cay, SC 29708
County: York
Previous Orders: None
Permit/ID Number: COM-00227
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, S.C. Code Ann. §§ 44-96-10 et seq. (2002 & Supp. 2018); Solid Waste Management: Compost and Mulch Production from Land-clearing Debris, Yard Trimmings and Organic Residuals, R.61-107.4, Part III.E.I.d., Part III.E.1.e., and Part III.E.6. (2012 & Supp. 2019); and the Permit #COM-00227, A.4.

Summary: The City of Tega Cay (Individual/Entity), operates a Wood Chipping Facility located in Tega Cay, York County, South Carolina. Based on routine inspections of the Facility, the Department issued a Notice of Alleged Violation. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act, the Solid Waste Management: Compost and Mulch Production from Land-clearing Debris, Yard Trimmings and Organic Residuals, and the Permit, as follows: stored unprocessed materials in excess of the maximum capacity allowed by the permit (1,333 cubic yards)

and accepted unprocessed materials which resulted in the unprocessed materials being stored to be in excess of the maximum capacity allowed by the permit.

Action: The Individual/Entity corrected all violations prior to the issuance of the Order. The Department has assessed a civil penalty in the amount of two thousand, three hundred dollars (\$2,300.00). The Individual/Entity shall pay a civil penalty of two thousand, three hundred dollars (**\$2,300.00**) by July 29, 2022.

Update: The Department received the civil penalty payment on June 7, 2022. All requirements of the Order have been met and the Order is closed.

Hazardous Waste Enforcement

10) Order Type and Number: Consent Order 22-09-HW
Order Date: June 24, 2022
Individual/Entity: **F3 Holdings, LLC DBA Form Fit and Function, LLC**
Facility: F3 Holdings, LLC DBA Form Fit and Function, LLC
Location: 350 Seminole Drive
Spartanburg, SC 29301
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: SCR000789651
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018), and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2018).

Summary: F3 Holdings, LLC D.B.A. Form it and Function, LLC (Individual/Entity), is a manufacturer of parts for the aerospace industry located in Spartanburg County, South Carolina. The Department conducted an inspection on November 3, 2021. The Individual/Entity violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations: failed to comply the regulations; failed to ensure waste is held on site for no more than one hundred eighty (180) days or two hundred seventy (270) days as applicable, beginning on the date when the accumulated waste exceeds the amounts provided, ensure the quantity of waste accumulated on site never exceeds six thousand (6,000) kilograms (13,200 pounds), and to ensure the conditions in the regulations are met; failed to make an accurate waste determination as to whether that waste was a hazardous waste; failed to maintain records supporting its hazardous waste determinations; failed to file with the Department, a Notification Form for waste within thirty (30) days of the effective date of this regulation; and failed to ensure that facilities must be maintained and operated to minimize the possibility of a fire, explosion, or an unplanned sudden or nonsudden release of hazardous waste or hazardous waste constituents to air, soil, or surface waste which could threaten human health or the environment.

Action: The Individual/Entity is required to: submit to the Department for review and approval, a Sampling Plan (The Plan) for waste streams with no hazardous waste determinations. Following the review and approval of The Plan, the Individual/Entity shall

implement The Plan to completion and submit a written report including sample results, disposal manifests and photographs to the Department. The Department assessed a total civil penalty in the amount of nine thousand, one hundred fifty dollars (\$9,150.00). The Individual/Entity shall pay a civil penalty in the amount of nine thousand, one hundred fifty dollars (**\$9,150.00**) by July 27, 2022.

Update: None

- 11) Order Type and Number: Consent Order 22-10-HW
Order Date: June 06, 2022
Individual/Entity: **Palmetto Cleaners, Inc. DBA White Swan**
Facility: Palmetto Cleaners, Inc. DBA White Swan
Location: 1619 West Palmetto Street
Florence, SC 29501
Mailing Address: Same
County: Florence
Previous Orders: None
Permit/ID Number: SCD987572260
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018), and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2018).

Summary: Palmetto Cleaners, Inc. (Individual/Entity), is a dry cleaner located in Florence County, South Carolina. The Department conducted an inspection on November 30, 2021. The Individual/Entity violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations, as follows: failed to mark or label its container with the following: (i) the words “Hazardous Waste” and (ii) an indication of the hazards of the contents; failed to maintain records documenting the arrangements with the local fire department as well as any other organization necessary to respond to an emergency; failed to post the following information next to telephones or in areas directly involved in the generation and accumulation of hazardous waste: the name and emergency telephone number of the emergency coordinator; the location of fire extinguishers and spill control material, and, if present, fire alarm, and the telephone number of the fire department, unless the facility has a direct alarm; failed to keep a copy of each manifest signed in accordance with section 262.23(a) onsite for three (3) years or until they receive a signed copy from the designated facility which received the waste; and failed to declare status annually on or before January 31 by submission of a completed form as designated by the Department on which they certify that they are a small quantity generator and provisionally exempt from full regulation and that should their status change during the calendar year they will comply fully with all requirements including quarterly reporting.

Action: The Individual/Entity corrected all violations prior to the issuance of the Order. The Department assessed a total civil penalty in the amount of four thousand, five hundred dollars (\$4,500.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, five hundred dollars (**\$4,500.00**) by July 6, 2022.

Update: The civil penalty has been paid. The Order is closed.

BUREAU OF WATER

Recreational Waters Enforcement

- 12) Order Type and Number: Consent Order 22-015-RW
Order Date: June 16, 2022
Individual/Entity: **Carolinas Holding Company, LLC**
Facility: Sea Mist Resort
Location: 305 13th Avenue S
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-657-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Carolinas Holding Company, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Horry County, South Carolina. The Department conducted inspections on February 18, 2022, and May 26, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was missing bumpers; a ladder was missing non-slip tread inserts; the plaster on the floor was deteriorated; the pH level was not within the acceptable range of water quality standards; the emergency notification device was not operational; the bound and numbered log book was not available for review on the first inspection; the bound and numbered log book was not maintained on a daily basis on the second inspection; the lifeline floats were damaged; and the skimmers were missing weirs.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by June 27, 2022.

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

- 13) Order Type and Number: Consent Order 22-016-RW
Order Date: June 21, 2022
Individual/Entity: **MB MO, LLC**
Facility: Ocean 5 Hotel
Location: 411 N Ocean Boulevard
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-052-1
Violations Cited: S.C. Code Ann. Regs. 61-51(I)

Summary: MB MO, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Horry County, South Carolina. The Department issued a Notice of Alleged Violation on April 12, 2022, as a result of a review

of Department records. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to submit a Swimming Pool Change Order Request Form to the Department for approval prior to modifying the pool.

Action: The Individual/Entity is required to: submit a Swimming Pool Change Order Request Form for the modifications to the Department by July 21, 2022; and complete the modifications in accordance with the approved Swimming Pool Change Order Request Form and contact Department staff to verify the completed work by September 28, 2022. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**) by July 21, 2022.

Update: The civil penalty has been paid. The Individual/Entity submitted a Swimming Pool Change Order Request Form which was approved by the Department.

14) Order Type and Number: Consent Order 22-017-RW
Order Date: June 22, 2022
Individual/Entity: **TS&D, LLC**
Facility: Windsurfer Motel
Location: 201 S Ocean Boulevard
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-L24-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: TS&D, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a kiddie pool located in Horry County, South Carolina. The Department conducted inspections on April 29, 2022, and June 6, 2022, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: there was debris in the skimmer baskets; a pool entry door did not self-close and latch; a pool entry door was propped open; and the chlorine and pH levels were not within the acceptable range of water quality standards.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**) by July 5, 2022.

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

15) Order Type and Number: Consent Order 22-018-RW
Order Date: June 28, 2022
Individual/Entity: **Beaufort Hotel One, LLC**
Facility: Home 2 Suites
Location: 3658 Trask Parkway
Beaufort, SC 29906
Mailing Address: P.O. Box 1809
Richmond Hill, GA 31324

County: Beaufort
Previous Orders: None
Permit/ID Number: 07-1250B
Violations Cited: S.C. Code Ann. Regs. 61-51(I)

Summary: Beaufort Hotel One, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Beaufort County, South Carolina. The Department issued a Notice of Alleged Violation on June 7, 2022, as a result of a review of Department records. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to submit a Swimming Pool Change Order Request Form to the Department for approval prior to modifying the pool.

Action: The Individual/Entity is required to: complete the modifications in accordance with an approved Swimming Pool Change Order Request Form and contact Department staff to verify the completed work by August 28, 2022. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a civil penalty in the amount of four hundred dollars (**\$400.00**) by July 28, 2022.

Update: The Individual/Entity submitted a Swimming Pool Change Order Request Form which was approved by the Department and corrected all violations. The civil penalty has been paid and the Consent Order is closed.

Drinking Water Enforcement

16) Order Type and Number: Consent Order 22-021-DW
Order Date: June 29, 2022
Individual/Entity: **Meridian Brick, LLC**
Facility: Meridian Brick
Location: 6400 Frost Avenue
Columbia, SC 29203
Mailing Address: 5100 Brickyard Road
Columbia, SC 29203
County: Richland
Previous Orders: None
Permit/ID Number: 4030007
Violations Cited: S.C. Code Ann. Regs. 61-58.7

Summary: Meridian Brick, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Richland County, South Carolina. The Department conducted an inspection on March 24, 2022, and the PWS was rated unsatisfactory for failure to properly operate and maintain. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: there was insect activity around the well; the pressure gauge and a screened pipe with a tap were located prior to the check valve; the wellhead piping, valve handles, and hydro-pneumatic storage tank were rusted; there were two wells that were out-of-service and overgrown with vegetation; there was standing water on the floor of the treatment plant building; there were unused storage tanks and piping stored inside the treatment plant building; there were ant mounds, trash, and debris outside of the treatment plant building; there was vegetation growing in a backwash pit; there were no backflow prevention devices

installed; and up-to-date written procedures for the operation and maintenance of the PWS were not provided for review.

Action: The Individual/Entity is required to: correct all of the deficiencies by December 1, 2022; have a South Carolina certified well driller properly abandon the two out-of-service wells by December 1, 2022; and submit an up-to-date written procedures for the operation and maintenance of the PWS by December 1, 2022. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

Update: None

Water Pollution Enforcement

17) Order Type and Number: Consent Order 22-032-W
Order Date: June 3, 2022
Individual/Entity: **Town of Batesburg-Leesville**
Facility: Town of Batesburg-Leesville WWTF
Location: 100 Commissioner Street
Lexington, SC 29006
Mailing Address: P.O. Box 2329
Batesburg-Leesville, SC 29070
County: Lexington
Previous Orders: 20-004-W (\$5,000.00)
20-043-W(\$4,200.00)
22-007-W (\$4,500.00)
Permit/ID Number: SC0024465
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) (2008 & Supp. 2016), Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41(a), and Part III. A of NPDES Permit SC0024465

Summary: Town of Batesburg-Leesville (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Lexington County, South Carolina. The Individual/Entity reported violations of total suspended solids (TSS) percent removal on discharge monitoring reports (DMRs) submitted for the April 2021, May 2021, June 2021, July 2021, and August 2021 monthly monitoring periods, and reported violations of the permitted discharge limits of ammonia-nitrogen (ammonia) on DMRs submitted for the April 2021, May 2021 and June 2021 monthly monitoring periods. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the permitted biochemical oxygen demand (BOD) percent removal and TSS percent removal, and effluent limitations for BOD, chronic effluent toxicity (CTOX) and ammonia.

Action: The Individual/Entity is required to: submit a written notification of the completion date for all corrective actions necessary to resolve effluent violations and a six (6) monitoring event compliance confirmation period. The Department has assessed a total civil penalty in the amount of five thousand, six hundred dollars (\$5,600.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of five thousand, six hundred dollars (**\$5,600.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has submitted written notification of the completion date for the necessary corrective actions.

18) Order Type and Number: Consent Order 22-033-W
Order Date: June 13, 2022
Individual/Entity: **City of Manning**
Facility: City of Manning WWTF
Location: 1 Wastewater Lane
Manning, SC 29102
Mailing Address: P.O. Box 546
Manning, SC 29102
County: Clarendon County
Previous Orders: 20-001-W (\$700.00)
Permit/ID Number: SC0020419
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110 (d); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41 (a)

Summary: The City of Manning (Individual/Entity) is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Clarendon County, South Carolina. On August 13, 2021, a Notice of Violation was issued as a result of violations of the permitted discharge limits for Escherichia coli (E.coli) as reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent discharge limits of its National Pollutant Discharge Elimination System permit for E.coli.

Action: The Individual/Entity is required to: submit a written notification of the completion date for all corrective actions necessary to resolve the violations by July 13, 2022; conduct a six (6) event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of two thousand four hundred dollars (\$2,400.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand four hundred dollars (**\$2,400.00**) by July 13, 2022.

Update: The Individual/Entity has submitted notification of the completion date for all necessary corrective actions and has paid the civil penalty in full.

19) Order Type and Number: Consent Order 22-034-W
Order Date: June 13, 2022
Individual/Entity: **Town of Lynchburg**
Facility: Town of Lynchburg WWTF
Location: Off Highway 76
Lynchburg, SC 29080
Mailing Address: P.O. Box 147
Lynchburg, SC 29080
County: Lee
Previous Orders: 18-038-W (\$4,480.00)
Permit/ID Number: SC0042676
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d), Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.21(d),

and National Pollutant Discharge Elimination System (NPDES) Permit SC0042676.

Summary: Town of Lynchburg (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Lee County, South Carolina. On March 15, 2022, a Notice of Violation (NOV) was issued for failure to reapply for permit coverage within one hundred eighty (180) days before the existing permit expires. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to submit an application for renewal of the NPDES Permit at least one hundred eighty (180) days before the existing permit expires.

Action: The Individual/Entity is required to: continue operating the WWTF in accordance with the most recent NPDES permit until a new permit becomes effective; Submit an administratively complete application for renewal of NPDES Permit SC0042676 by August 31, 2022; within thirty days of execution of the Order and every thirty days after the initial submittal date, submit a summary status report on the submission of an administratively complete application for renewal of NPDES Permit SC0042676. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars **(\$1,000.00)** by July 13, 2022.

Update: The Individual/Entity has paid the civil penalty in full.

20) <u>Order Type and Number:</u>	Consent Order 22-035-W
<u>Order Date:</u>	June 17, 2022
<u>Individual/Entity:</u>	Blue Granite Water Company
<u>Facility:</u>	Briarcreek WWTF #2
<u>Location:</u>	521 Killian Drive Gaffney, SC 29340
<u>Mailing Address:</u>	130 S Main Street Suite 800 Greenville, SC 29601
<u>County:</u>	Chester
<u>Previous Orders:</u>	18-026-W (\$3,400.00)
<u>Permit/ID Number:</u>	SC0026409
<u>Violations Cited:</u>	Pollution Control Act, SC. Code Ann. § 48-1-110(d), Water Pollution Control Permits, S.C. Code Ann Regs 61-9.122.41(a) and NPDES Permit SC0026409.

Summary: Blue Granite Water Company (Individual/Entity) owns and is responsible for the proper operation and maintenance of the Briarcreek wastewater treatment facility #2 (WWTF) in Chester County, South Carolina. On February 25, 2022, a Notice of Alleged Violation (NOAV) was issued as a result of ammonia-nitrogen (ammonia) violations reported on discharge monitoring reports (DMRs) submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to comply with ammonia effluent limitations of its National Pollutant Discharge Elimination System (NPDES) Permit SC0026409.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the ammonia effluent violations by July 17, 2022; conduct a six (6) monitoring period event compliance

confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**) by July 17, 2022.

Update: The Individual/Entity has completed necessary corrective actions, paid the civil penalty in full and demonstrated a compliance confirmation period in which no violations were observed. The Order was closed on July 19, 2022.

21) Order Type and Number: Consent Order 22-036-W
Order Date: June 17, 2022
Individual/Entity: **Granite Rolling Meadows, LLC**
Facility: Granite Rolling Meadows WWTF
Location: 3941 Charleston Highway
West Columbia, SC 29172
Mailing Address: 175 Precipice Road
Camden, SC 29020
County: Lexington
Previous Orders: 21-035-W (\$5,000.00)
Permit/ID Number: SC0033685
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110 (d); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41 (a).

Summary: Granite Rolling Meadows, LLC (Individual/Entity) is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Lexington County, South Carolina. On January 7, 2022, a Notice of Violation was issued as a result of violations of the permitted discharge limits for Biochemical Oxygen Demand (BOD) and Escherichia coli (E.coli) as reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent discharge limits of its National Pollutant Discharge Elimination System permit for E.coli.

Action: The Individual/Entity is required to: submit a written notification of the completion date for all corrective actions necessary to resolve the violations by July 17, 2022; conduct a six (6) event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of two thousand one hundred dollars (\$2,100.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand one hundred dollars (**\$2,100.00**) by July 17, 2022.

Update: The Individual/Entity has paid the civil penalty in full and has requested an extension to submit notification of the corrective action completion date.

22) Order Type and Number: Consent Order 22-037-W
Order Date: June 22, 2022
Individual/Entity: **Lowcountry Regional Water System**
Facility: Town of Brunson WWTF
Location: Secondary Rd #69 at Coosawhatchie River

Mailing Address: Brunson, SC 29911
P.O. Box 647
Hampton, SC 29924-3516

County: Hampton

Previous Orders: 21-032-W (\$7,000.00)

Permit/ID Number: SC0023141

Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110 (d); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41 (a).

Summary: Lowcountry Regional Water System (Individual/Entity) is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Hampton County, South Carolina. On September 30, 2021, a Notice of Violation was issued as a result of violations of the permitted discharge limits for Escherichia coli (E.coli) and biochemical oxygen demand percent removal (BOD%) as reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent discharge limits of its National Pollutant Discharge Elimination System permit for E.coli and BOD%.

Action: The Individual/Entity is required to: submit a Permit to Construct application with plans by October 1, 2022; begin construction of the WWTF upgrade by June 1, 2023; submit an interim report of progress toward the completion of construction by March 1, 2024; complete construction of the WWTF upgrade and request Final Approval to place in operation by November 1, 2024; and return to compliance with the effluent limitations contained in NPDES Permit SC0042382 by January 1, 2025. The Department has assessed a total civil penalty in the amount of twelve thousand six hundred dollars (\$12,600.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand eight hundred dollars (**\$2,800.00**) by July 22, 2022 and pay a stipulated penalty in the amount of nine thousand, eight hundred dollars (\$9,800.00) should any requirement of the Order not be met.

Update: The Individual/Entity has paid the civil penalty in full.

23) Order Type and Number: Consent Order 22-038-W

Order Date: June 24, 2022

Individual/Entity: **Lancaster County School District**

Facility: Buford High School

Location: One (1) mile north of SC 9 on SC 522
Lancaster County, SC

Mailing Address: 300 South Catawba Street
Lancaster, SC 29720

County: Lancaster

Previous Orders: 18-032-W (\$1,400.00)

Permit/ID Number: SC0041963

Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110 (d); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.21 (d).

Summary: Lancaster County School District (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Lancaster County, South Carolina. On January 10, 2022, a Notice of Violation was issued for failure to reapply for permit coverage within one hundred eighty

(180) days before the existing permit expires. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to submit a new NOI or permit application 180 days before the existing permit expires. The NOI or application was due on or before January 1, 2022.

Action: The Individual/Entity is required to: continue to operate the WWTF in accordance with NPDES Permit SC0030210 issued on July 1, 2017, until a new Department issued permit becomes effective. The Department has assessed a total civil penalty in the amount of seven hundred dollars (\$700.00). The Individual/Entity shall pay a civil penalty in the amount of seven hundred dollars (**\$700.00**) by July 24, 2022.

Update: None

24) Order Type and Number: Consent Order 22-039-W
Order Date: June 28, 2022
Individual/Entity: **Town of McColl**
Facility: Town of McColl WWTF
Location: 210 East Gibson Avenue
McColl, SC 29570
Mailing Address: 300 South Main Street
McColl, SC 29570
County: Marlboro
Previous Orders: 21-022-W (\$4,775.00)
Permit/ID Number: SC0041963
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110 (d); Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.21 (d).

Summary: The Town of McColl (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Marlboro County, South Carolina. On January 10, 2022, a Notice of Violation was issued for failure to reapply for permit coverage within one hundred eighty (180) days before the existing permit expires. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to submit a new NOI or permit application 180 days before the existing permit expires. The NOI or application was due on or before January 1, 2022.

Action: The Individual/Entity is required to: submit an administratively complete application for renewal of NPDES Permit SC0041963 by July 28, 2022; and continue to operate the WWTF in accordance with the previous permit until a new Department issued permit becomes effective. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**) by July 28, 2022.

Update:

25) Order Type and Number: Consent Order 22-040-W
Order Date: June 28, 2022
Individual/Entity: **Town of Jonesville**
Facility: Town of Jonesville WWTF
Location: Spears Lane

Mailing Address: Jonesville, SC 29353
P.O. Box 785
Jonesville, SC 29353

County: Union

Previous Orders: 21-067-W (\$2,800.00)

Permit/ID Number: SC0024988

Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d), Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.21(d), and National Pollutant Discharge Elimination System (NPDES) Permit SC0024988.

Summary: Town of Jonesville (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Union County, South Carolina. On March 15, 2022, a Notice of Violation (NOV) was issued for failure to reapply for permit coverage within one hundred eighty (180) days before the existing permit expires. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to submit an application for renewal of the NPDES Permit at least one hundred eighty (180) days before the existing permit expires.

Action: The Individual/Entity is required to: continue operating the WWTF in accordance with the most recent NPDES permit until a new permit becomes effective; The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**) by July 28, 2022.

Update: The Individual/Entity has paid the civil penalty in full.

26) Order Type and Number: Consent Order 22-041-W

Order Date: June 28, 2022

Individual/Entity: **Pickens County Public Service Commission**

Facility: Pickens County 18-Mile Creek Middle WWTF

Location: 467 Willie Wonka Drive
Central, SC 29630

Mailing Address: 151 Clearwater Drive
Liberty, SC 29657

County: Pickens

Previous Orders: None

Permit/ID Number: SC0047856

Violations Cited: Pollution Control Act, S.C. Code Ann. §48-1-110(d), Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41(a), and National Pollutant Discharge Elimination System (NPDES) Permit SC0047856

Summary: Pickens County Public Service Commission (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Pickens County, South Carolina. On October 27, 2021, a Notice of Violation (NOV) was issued for ammonia-nitrogen (ammonia) violations during the August 2021 monthly monitoring period. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to comply

with effluent limitations of its National Pollutant Discharge Elimination System (NPDES) Permit SC0047856.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the ammonia effluent violations by July 28, 2022; conduct a six (6) monitoring period event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**) by July 28, 2022.

Update: The Individual/Entity has submitted notification of the completion date for necessary corrective actions and has paid the civil penalty in full. .

27) Order Type and Number: Consent Order 22-042-W
Order Date: June 29, 2022
Individual/Entity: **New-Indy Catawba, LLC**
Facility: New-Indy Catawba WWTF
Location: Off of Cureton Ferry Road
Catawba, SC 29704
Mailing Address: 5300 Cureton Ferry Road
Catawba, SC 29704
County: York
Previous Orders: none
Permit/ID Number: SC0001015
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-10, *et seq.*, Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.1, *et seq.*, Standards for Wastewater Facility Construction, S.C. Code Ann. Regs. 61-67, and National Pollutant Discharge Elimination System (NPDES) Permit SC0001015.

Summary: New-Indy Catawba, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in York County, South Carolina. On July 26, 2021, a Notice of Alleged Violation (NOAV) was issued for observations made during a Department inspection of the WWTF on March 15 and 19, 2021. The Individual/Entity has violated the Pollution Control Act, Water Pollution Control Permits Regulations, and Standards for Wastewater Facility Construction as follows: failed to operate the WWTF in accordance with its NPDES Permit and operated a WWTF that had been modified in a manner other than approved by the Department and prior to an Approval to Operate being issued by the Department.

Action: The Individual/Entity is required to: submit an approvable application for a construction permit to address modified components of the WWTF by August 13, 2022; begin construction of the items subject of a Department issued construction permit within sixty days of issuance and complete construction of the items before the expiration date of such construction permit; submit a preliminary engineering report that addresses certain conditions associated with the aerated stabilization basin (ASB), equalization basin (EQ Basin), solids loading in the WWTF, and parallel systems for the clarifier and ASB by October 27, 2022; submit certification by August 1, 2022, that the Individual/Entity has finalized revisions to and updated the Best Management Practices (BMP) Manual, Operations and Maintenance (O&M) Manual, and Odor Abatement Plan; and, perform

monthly inspections of the facility to ensure compliance with the BMP Manual, O&M Manual, and Odor Abatement Plan and submit a summary of each inspection to the Department monthly. The Department has assessed a total civil penalty in the amount of one hundred twenty-nine thousand three hundred sixty dollars (\$129,360.00). The Individual/Entity shall pay a civil penalty in the amount of one hundred twenty-nine thousand three hundred sixty dollars (**\$129,360.00**) by July 29, 2022.

Update: The Individual/Entity has paid the civil penalty in full.

BUREAU OF AIR QUALITY

28) Order Type and Number: Consent Order 22-011-A
Order Date: June 14, 2022
Individual/Entity: **Tri-D Materials, LLC**
Facility: Tri-D Materials, LLC
Location: 4136 Sandwood Drive
Columbia, SC 29206
Mailing Address: Same
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. Regs. 61-62.1, Section II –
Permit Requirements and S.C. Code Ann. Regs. 61-62.5, Standard No. 3, Waste
Combustion and Reduction

Summary: Tri-D Materials, LLC (Individual/Entity) conducts mining operations at property known as the Yea Yea Mine located in Richland County, South Carolina. The Department conducted an inspection on August 12, 2020. the Individual/Entity has violated the South Carolina Air Pollution Control Regulations, as follows: burned materials in its air curtain incinerator (“ACI”) that are not allowed by the regulations and failed to obtain a construction permit from the Department prior to constructing and operating the ACI.

Action: The Individual/Entity is required to: cease all operations of the ACI unless and until it has obtained all applicable permits from the Department; ensure compliance with all applicable regulations; and obtain a construction permit from the Department prior to constructing a source of air contaminants. The Department has assessed a total civil penalty in the amount of seven thousand dollars (\$7,000.00). The Individual/Entity shall pay a penalty in the amount of seven thousand dollars (**\$7,000.00**) by July 14, 2022.

Update: The civil penalty has been paid.

29) Order Type and Number: Consent Order 22-012-A
Order Date: June 24, 2022
Individual/Entity: **Dawkins Concrete Products INC**
Facility: Dawkins Concrete Products INC
Location: 837 W Fairfield Road
Dillon, SC 29536
Mailing Address: P.O. Box 1096
Hartsville, SC 29551
County: Dillon
Previous Orders: None

Permit/ID Number: 9900-0150
Violations Cited: S.C. Code Ann. Regs. 61-30, Section G(3)(b), and S.C. Code Ann. Regs 61-62.1, Section II, Permit Requirements

Summary: Dawkins Concrete Products Inc. (Individual/Entity), is a concrete batch facility located in Dillon County, South Carolina. On August 19, 2020, a Department inspector conducted an inspection. The Individual/Entity has violated the South Carolina Air Pollution Control Regulations, as follows: failed to limit opacity to 20%; and failed to establish operational ranges for control equipment.

Action: The Individual/Entity is required to: limit opacity to 20% in accordance with all applicable permit limits; and establish operational ranges for equipment CD4 within thirty (30) days of the execution date of this Order. The Department has assessed a total civil penalty in the amount of three thousand dollars (\$3,000.00). The Individual/Entity shall pay a penalty in the amount of three thousand dollars (**\$3,000.00**) by July 24, 2022.

Update: The civil penalty has been paid

30) Order Type and Number: Consent Order 22-013-A
Order Date: June 24, 2022
Individual/Entity: Chad Cusack
Facility: Mr. Perfect Kustomz
Location: 3115 B South Cashua Drive
Florence, SC 29501
Mailing Address: Same
County: Florence
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. Regs. 61-62.1, Section II, *Permit Requirements* and S.C. Code Ann. Regs. 61-62.5 Section IX.B

Summary: Mr. Perfect Kustomz (Individual/Entity), operates an automotive paint facility located in Florence County, South Carolina. On May 26, 2020, the Department conducted inspection in response to a complaint. The Individual/Entity has violated the South Carolina Air Pollution Control Regulations, as follows: failed to use a spray booth, preparation station, or mobile enclosure; failed to ensure that spray booths and preparation stations are fully enclosed; failed to ensure that all painters are certified in the proper spray application of surface coatings; failed to apply for and obtain Department-issued permits prior to installing and operating sources of air contaminants.

Action: The Individual/Entity is required to: either apply for and obtain coverage under the Registration Permit for Surface Coating Operations or provide emission calculations to the Department demonstrating that facility is exempt from air quality permitting; ensure that all painters are certified and have completed training in the proper spray application; henceforth ensure that spray booths and preparation stations are fully enclosed. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met by July 24, 2022.

Update: The requirements of the Order have not yet been met.

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

Food Safety Enforcement

31) Order Type and Number: Consent Order 22-49-FOOD
Order Date: June 3, 2022
Individual/Entity: **Buoy's Beach Bar & Grill**
Facility: Buoy's Beach Bar & Grill
Location: 93 South Ocean Boulevard
North Myrtle Beach, SC 29582
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-13643
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Buoy's Beach Bar & Grill (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on October 4, 2021, March 21, 2022, and March 31, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the proper sanitization concentration in a chemical sanitizer used in a manual or mechanical operation during contact times.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

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

32) Order Type and Number: Consent Order 22-52-FOOD
Order Date: June 3, 2022
Individual/Entity: **China Buffet**
Facility: China Buffet
Location: 1105 Church Street
Conway, SC 29526
Mailing Address: Same
County: Horry
Previous Orders: 2019-206-06-142 (\$800.00)
Permit Number: 26-206-11146
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: China Buffet (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on October 18, 2021, October 28, 2021, January 31, 2022, March 28, 2022, and April 6, 2022. The

Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety food was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling; failed to maintain the proper sanitization concentration in a chemical sanitizer used in a manual or mechanical operation during contact times; failed to ensure that refrigerated, ready-to-eat, time/temperature control for safety foods were discarded if the temperature and time combination exceeded seven (7) days or if the package was not properly date marked; and failed to ensure written procedures were in place and made available to the Department when the facility uses time as a public health control.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of three thousand, two hundred fifty dollars (\$3,250.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, two hundred fifty dollars (**\$3,250.00**).

Update: The Individual/Entity is currently up to date on the agreed upon payment plan.

33)	<u>Order Type and Number:</u>	Consent Order 22-58-FOOD
	<u>Order Date:</u>	June 6, 2022
	<u>Individual/Entity:</u>	Tavern in the Forest
	<u>Facility:</u>	Tavern in the Forest
	<u>Location:</u>	4999 Carolina Forest Boulevard Myrtle Beach, SC 29579
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	None
	<u>Permit Number:</u>	26-206-14064
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Tavern in the Forest (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted an inspection on April 13, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: obscured, covered, defaced, relocated, or removed the grade decal that was posted by the Department.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of five hundred dollars (\$500.00). The Individual/Entity shall pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

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

34)	<u>Order Type and Number:</u>	Consent Order 22-37-FOOD
	<u>Order Date:</u>	June 7, 2022
	<u>Individual/Entity:</u>	Happy Donkey Mexican Grill
	<u>Facility:</u>	Happy Donkey Mexican Grill

Location: 3230 South Main Street Extension
Anderson, SC 29624
Mailing Address: Same
County: Anderson
Previous Orders: None
Permit Number: 04-206-04149
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Happy Donkey Mexican Grill (Individual/Entity) operates a restaurant located in Anderson County, South Carolina. The Department conducted inspections on March 15, 2022, March 16, 2022, March 22, 2022, March 31, 2022, April 7, 2022, April 12, 2022, April 21, 2022, and April 29, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure employees wash hands after engaging in activities that contaminate their hands; failed to ensure there was no bare hand contact with ready-to-eat foods; failed to ensure that the handwashing sinks were accessible at all times; failed to ensure that refrigerated, ready-to-eat, time/temperature control for safety foods were discarded if the temperature and time combination exceeded seven (7) days or if the package was not properly date marked; and failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of three thousand, six hundred dollars (\$3,600.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, six hundred dollars (**\$3,600.00**).

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

35) Order Type and Number: Consent Order 22-53-FOOD
Order Date: June 7, 2022
Individual/Entity: **Tongy's Shmack House**
Facility: Tongy's Shmack House
Location: 201 Graduate Road, Unit 117
Conway, SC 29526
Mailing Address: Same
County: Horry
Previous Orders: None
Permit Number: 26-206-12190
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Tongy's Shmack House (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on March 23, 2022, March 30, 2022, and April 8, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety food was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of five hundred, fifty

dollars (\$550.00). The Individual/Entity shall pay a civil penalty in the amount of five hundred, fifty dollars (**\$550.00**).

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

36) Order Type and Number: Consent Order 22-55-FOOD
Order Date: June 9, 2022
Individual/Entity: **Liberty at the Lake**
Facility: Liberty at the Lake
Location: 1602 Marina Road
Irmo, SC 29063
Mailing Address: 1177 Southgate Drive
Charleston, SC 29407
County: Richland
Previous Orders: 2016-206-03-102 (\$1,200.00);
2017-206-03-120 (\$800.00);
2018-206-03-120 (\$1,500.00)
Permit Number: 40-206-07068
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Liberty at the Lake (Individual/Entity) operates a restaurant located in Richland County, South Carolina. The Department conducted an inspection on May 4, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: obscured, covered, defaced, relocated, or removed the grade decal that was posted by the Department.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of five hundred dollars (\$500.00). The Individual/Entity shall pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

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

37) Order Type and Number: Consent Order 22-63-FOOD
Order Date: June 16, 2022
Individual/Entity: **2 Gingers**
Facility: 2 Gingers
Location: 245 Bush River Road
Columbia, SC 29210
Mailing Address: Same
County: Richland
Previous Orders: 2017-206-03-026 (\$1,000.00);
2017-206-03-124 (\$1,250.00);
2018-206-03-138 (\$3,000.00)
Permit Number: 40-206-07493
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: 2 Gingers (Individual/Entity) operates a restaurant located in Richland County, South Carolina. The Department conducted inspections on February 28, 2022, April 27, 2022, May 6, 2022, and May 16, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that refrigerated, ready-to-eat, time/temperature control for safety foods were discarded if the temperature and time combination exceeded seven (7) days or if the package was not properly date marked; and failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of one thousand, five hundred dollars (\$1,500.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, five hundred dollars (**\$1,500.00**).

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

38) <u>Order Type and Number:</u>	Consent Order 22-48-FOOD
<u>Order Date:</u>	June 21, 2022
<u>Individual/Entity:</u>	Lexington County Detention
<u>Facility:</u>	Lexington County Detention
<u>Location:</u>	521 Gibson Road Lexington, SC 29072
<u>Mailing Address:</u>	Same
<u>County:</u>	Lexington
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	32-206-06799
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Lexington County Detention (Individual/Entity) operates a cafeteria located in Lexington County, South Carolina. The Department conducted inspections on August 3, 2021, September 2, 2021, April 4, 2022, and April 13, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

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

39) <u>Order Type and Number:</u>	Consent Order 22-43-FOOD
<u>Order Date:</u>	June 27, 2022
<u>Individual/Entity:</u>	Mi Tierra
<u>Facility:</u>	Mi Tierra
<u>Location:</u>	4944 Highway 321 Gaston, SC 29053

Mailing Address: Same
County: Lexington
Previous Orders: None
Permit Number: 32-206-07262
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Mi Tierra (Individual/Entity) operates a restaurant located in Lexington County, South Carolina. The Department conducted inspections on March 24, 2022, April 1, 2022, April 6, 2022, April 15, 2022, and April 22, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety food was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of two thousand, four hundred dollars (\$2,400.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, four hundred dollars (**\$2,400.00**).

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

40) Order Type and Number: Consent Order 22-59-FOOD
Order Date: June 27, 2022
Individual/Entity: **Brother Shuckers Seafood**
Facility: Brother Shuckers Seafood
Location: 4999-4 Carolina Forest Boulevard
Myrtle Beach, SC 29579
Mailing Address: Same
County: Horry
Previous Orders: 21-09-FOOD (\$1,200.00)
Permit Number: 26-206-13691
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Brother Shuckers Seafood (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on March 16, 2022, March 24, 2022, and April 1, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of one thousand, five hundred dollars (\$1,500.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, five hundred dollars (**\$1,500.00**).

Update: The facility is currently closed and no longer possesses a Retail Food Service Permit. This Order has been closed.

41) Order Type and Number: Consent Order 21-44-FOOD

Order Date: June 28, 2022
Individual/Entity: **Ravinder Kumar**
Facility: Buddy's on Wilson #2
Location: 2453 Wilson Road
Newberry, SC 29108
Mailing Address: Same
County: Newberry
Previous Orders: 2016-206-03-113 (\$800.00)
2017-206-03-027 (\$500.00)
Permit Number: 36-206-01104
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Ravinder Kumar, individually and D.B.A. Buddy's on Wilson #2 (Individual/Entity) operates a restaurant located in Newberry County, South Carolina. The Department conducted inspections on January 20, 2022, March 17, 2022, March 25, 2022, April 1, 2022, and April 8, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that at least one employee that has supervisory and management responsibility, the authority to direct and control food preparation and service, the ability to enforce employee health policies, and a frequent presence at the facility shall be a certified food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

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

42) Order Type and Number: Consent Order 22-66-FOOD
Order Date: June 28, 2022
Individual/Entity: **Dirty Don's Oyster Bar & Grill**
Facility: Dirty Don's Oyster Bar & Grill
Location: 661 Main Street
North Myrtle Beach, SC 29582
Mailing Address: Same
County: Horry
Previous Orders: 22-17-FOOD (\$400.00)
Permit Number: 26-206-14162
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Dirty Don's Oyster Bar & Grill (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on January 27, 2022, February 4, 2022, and May 12, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the proper sanitization concentration in a chemical sanitizer used in a manual or mechanical operation during contact times.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

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

43) Order Type and Number: Consent Order 22-68-FOOD
Order Date: June 28, 2022
Individual/Entity: **Yousef's Kitchen**
Facility: Yousef's Kitchen
Location: 1109 East Main Street
Westminster, SC 29693
Mailing Address: Same
County: Oconee
Previous Orders: None
Permit Number: 37-206-00212
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Yousef's Kitchen (Individual/Entity) operates a restaurant located in Oconee County, South Carolina. The Department conducted inspections on January 24, 2022, April 27, 2022, and May 5, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to convey sewage to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law; and failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of eight hundred dollars (\$800.00). The Individual/Entity shall pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

Update: The Individual/Entity has entered into a payment plan with the Department. The first payment is due August 1, 2022.

44) Order Type and Number: Consent Order 22-74-FOOD
Order Date: June 28, 2022
Individual/Entity: **Fatz**
Facility: Fatz
Location: 1615 Sandifer Boulevard
Seneca, SC 29678
Mailing Address: 1361 West Wade Hampton Boulevard
Suite F, #6
Greer, SC 29650
County: Oconee
Previous Orders: 22-47-FOOD (\$400.00)
Permit Number: 37-206-01321

Violations Cited:

S.C. Code Ann. Regs. 61-25

Summary: Fatz (Individual/Entity) operates a restaurant located in Oconee County, South Carolina. The Department conducted inspections on March 22, 2022, April 1, 2022, and May 24, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to keep equipment food contact surfaces and utensils clean to sight and touch; and failed to maintain the premises free of insects, rodents, and other pests.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of five hundred dollars (\$500.00). The Individual/Entity shall pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

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

45) <u>Order Type and Number:</u>	Consent Order 22-76-FOOD
<u>Order Date:</u>	June 28, 2022
<u>Individual/Entity:</u>	A Plus Store
<u>Facility:</u>	A Plus Store
<u>Location:</u>	1768 Pinewood Road Sumter, SC 29154
<u>Mailing Address:</u>	Same
<u>County:</u>	Sumter
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	43-206-01046
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: A Plus Store (Individual/Entity) operates a convenience store located in Sumter County, South Carolina. The Department conducted inspections on May 16, 2022, May 26, 2022, and June 3, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety food was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling; failed to ensure that an air gap between the water supply inlet and the flood level rim of the plumbing fixture, equipment, or nonfood equipment was at least twice the diameter of the water supply inlet and not be less than one (1) inch; and failed to provide individual disposable towels at each hand washing sink or group of adjacent handwashing sinks.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

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

On-Site Wastewater Enforcement

46) Order Type and Number: Administrative Order 22-028-OSWW
Order Date: May 16, 2022
Individual/Entity: **Heirs and Assigns of Kenneth Halter/Naomi Halter**
Facility: Heirs and Assigns of Kenneth Halter/Naomi Halter
Location: Genesis Circle
West Columbia, SC 29172
Mailing Address: 441 Dunbar Road
West Columbia, SC 29170
County: Lexington
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Heirs and Assigns of Kenneth Halter/Naomi Halter (Individual/Entity) owns property located in Lexington County, South Carolina. The Department conducted an investigation on February 16, 2022 and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system, including any associated plumbing, within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: As of July 22, 2022, domestic wastewater was observed to continue to discharge to the surface of the ground. The Department has referred the case to OGC for a complaint to be filed with the Administrative Law Court for enforcement of the Order.

47) Order Type and Number: Administrative Order 22-030-OSWW
Order Date: May 16, 2022
Individual/Entity: **Heirs and Assigns of Kenneth Halter/Naomi Halter**
Facility: Heirs and Assigns of Kenneth Halter/Naomi Halter
Location: 120 Sana Circle
West Columbia, SC 29170
Mailing Address: 441 Dunbar Road
West Columbia, SC 29170
County: Lexington
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Heirs and Assigns of Kenneth Halter/Naomi Halter (Individual/Entity) owns property located in Lexington County, South Carolina. The Department conducted an investigation on November 2, 2021 and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system, including any associated plumbing, within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

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

48) <u>Order Type and Number:</u>	Administrative Order 22-034-OSWW
<u>Order Date:</u>	May 16, 2022
<u>Individual/Entity:</u>	Heirs and Assigns of Kenneth Halter
<u>Facility:</u>	Heirs and Assigns of Kenneth Halter
<u>Location:</u>	3167 Lot 12 Greenwood Drive West Columbia, SC 29170
<u>Mailing Address:</u>	441 Dunbar Road West Columbia, SC 29170
<u>County:</u>	Lexington
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Heirs and Assigns of Kenneth Halter (Individual/Entity) owns property located in Lexington County, South Carolina. The Department conducted an investigation on April 13, 2022, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

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

49) Order Type and Number: Administrative Order 22-024-OSWW
Order Date: May 31, 2022
Individual/Entity: **Rigoberto Morales**
Facility: Rigoberto Morales
Location: Motor Boat Club Road
Greenville, SC 29611
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Rigoberto Morales (Individual/Entity) owns property located in Greenville County, South Carolina. The Department conducted an investigation on February 18, 2022, and observed campers and a tiny house being occupied for more than two hours per day without an approved means of domestic wastewater treatment and disposal. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that a dwelling, building, or unit occupied for more than two hours per day is connected to an approved means of domestic wastewater treatment and disposal.

Action: The Individual/Entity is required to connect the campers and tiny house to the available public sewer within five (5) days; or immediately vacate the campers and tiny house. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

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

50) Order Type and Number: Administrative Order 22-025-OSWW
Order Date: May 31, 2022
Individual/Entity: **Pamela Hunter Honeycutt**
Facility: Pamela Hunter Honeycutt
Location: 1530 Hallmark Road
Rock Hill, SC 29730
Mailing Address: 1555 Harris Road
Fort Mill, SC 29730
County: York
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Pamela Hunter Honeycutt (Individual/Entity) owns property located in York County, South Carolina. The Department conducted an investigation on February 11, 2022, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

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

51) Order Type and Number: Administrative Order 22-035-OSWW
Order Date: May 31, 2022
Individual/Entity: **Cameron Gunter**
Facility: Cameron Gunter
Location: 105 Salak Road
Greenwood, SC 29649
Mailing Address: Same
County: Greenwood
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Cameron Gunter (Individual/Entity) owns property located in Greenwood County, South Carolina. The Department conducted an investigation on March 8, 2022, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: On July 25, 2022, the Department issued a demand letter to the Individual/Entity via USPS first-class and certified mail.

52) Order Type and Number: Administrative Order 22-036-OSWW
Order Date: May 31, 2022
Individual/Entity: **Jonathan Harrill and Lois Harrill**
Facility: Jonathan Harrill and Lois Harrill
Location: 284 Piper Lane
Pickens, SC 29671
Mailing Address: Same
County: Pickens
Previous Orders: None
Permit Number: None

Violations Cited:

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

Summary: Jonathan Harrill and Lois Harrill (Individual/Entity) owns property located in Pickens County, South Carolina. The Department conducted an investigation on March 14, 2022 and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

Update: On July 14, 2022, Department personnel spoke with the OSWW contractor scheduled to repair the site. The repairs should be completed by July 25, 2022.

53) <u>Order Type and Number:</u>	Consent Order 22-022-OSWW
<u>Order Date:</u>	June 8, 2022
<u>Individual/Entity:</u>	Greg West, d.b.a. JAlAn Companies, LLC
<u>Facility:</u>	Greg West, d.b.a. JAlAn Companies, LLC
<u>Location:</u>	128 Hatchett Road Roebuck, SC 29369
<u>Mailing Address:</u>	2808 N. Highway 14 Greer, SC 29651
<u>County:</u>	Spartanburg
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Greg West, d.b.a. JAlAn Companies, LLC (Individual/Entity), installed an OSWW system at a property located in Spartanburg County, South Carolina. The Department conducted an investigation on November 24, 2021 and determined that the OSWW system was installed outside the permitted area. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that all systems for which the licensee is responsible are constructed, repaired, and cleaned in accordance with S.C. Regulation 61-56 and permits issued by the Department.

Action: The Individual/Entity is required to cease and desist installing OSWW systems outside the area permitted. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

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

54) <u>Order Type and Number:</u>	Consent Order 22-037-OSWW
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Order Date: June 15, 2022
Individual/Entity: **John Steed**
Facility: John Steed
Location: 132 Idas Hideaway Circle
Cross, SC 29436
Mailing Address: 1010 Wilson Landing Road
Pineville, SC 29468
County: Berkeley
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: John Steed (Individual/Entity) installed an OSWW system on property located in Berkeley County, South Carolina. The Department conducted an investigation on March 1, 2022, and determined that the Individual/Entity does not possess a Department issued license to construct and repair OSWW systems. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: they have engaged in the business of constructing and repairing onsite sewage treatment systems without first applying for, receiving, and subsequently maintaining a valid license to conduct such activities, as required by the Department.

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

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

55) Order Type and Number: Consent Order 22-031-OSWW
Order Date: June 22, 2022
Individual/Entity: **Jeremy Hildreth, d.b.a. Hildreth Backhoe Service**
Facility: Jeremy Hildreth, d.b.a. Hildreth Backhoe Service
Location: 1076 Eason Road
Croghan, SC 29727
Mailing Address: 712 Doc Wyatt Road
Wadesboro, NC 28107
County: Chesterfield
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Jeremy Hildreth, d.b.a. Hildreth Backhoe Service (Individual/Entity), owns property located in Chesterfield County, South Carolina. The Department conducted an investigation on February 4, 2022, and determined that the Individual/Entity does not possess a Department issued license to construct and repair OSWW systems. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: they have engaged in the business of

constructing and repairing onsite sewage treatment systems without first applying for, receiving, and subsequently maintaining a valid license to conduct such activities, as required by the Department.

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

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

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