

SUMMARY SHEET  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
February 11, 2021

         ACTION/DECISION

  X   INFORMATION

1. **TITLE:** Administrative and Consent Orders issued by the Office of Environmental Affairs.
  
2. **SUBJECT:** Administrative and Consent Orders issued by the Office of Environmental Affairs during the period December 1, 2020, through December 31, 2020.
  
3. **FACTS:** For the reporting period of December 1, 2020, through December 31, 2020, the Office of Environmental Affairs issued twenty-three (23) Consent Orders with total assessed civil penalties in the amount of one hundred seventy-one thousand, one hundred fifty-six dollars and nine cents (\$171,156.09). Also, eight (8) Administrative Orders with total assessed civil penalties in the amount of sixty-one thousand, nine hundred nineteen dollars (\$61,919.00) were reported during this period.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
<b>Land and Waste Management</b>				
UST Program	4	\$61,919.00	1	\$2,000.00
Aboveground Tanks	0	0	0	0
Solid Waste	0	0	0	0
Hazardous Waste	0	0	1	\$6,800.00
Infectious Waste	0	0	0	0
Mining	0	0	0	0
<b>SUBTOTAL</b>	<b>4</b>	<b>\$61,919.00</b>	<b>2</b>	<b>\$8,800.00</b>
<b>Water</b>				
Recreational Water	0	0	6	\$4,320.00
Drinking Water	0	0	3	\$1,900.00
Water Pollution	0	0	6	\$7,736.09
Dam Safety	0	0	0	0
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>15</b>	<b>\$13,956.09</b>
<b>Air Quality</b>				
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>\$146,600.00</b>
<b>Environmental Health Services</b>				
Food Safety	0	0	1	\$800.00
Onsite Wastewater	4	0	2	\$1,000.00
<b>SUBTOTAL</b>	<b>4</b>	<b>0</b>	<b>3</b>	<b>\$1,800.00</b>
<b>OCRM</b>				
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL</b>	<b>8</b>	<b>\$61,919.00</b>	<b>23</b>	<b>\$171,156.09</b>

Submitted by:

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

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
February 11, 2021**

**BUREAU OF LAND AND WASTE MANAGEMENT**

**Underground Storage Tank Enforcement**

- 1)     Order Type and Number:           Administrative Order 19-0155-UST  
       Order Date:                    December 8, 2020  
       Individual/Entity:           **Quick Pantry of Orangeburg, LLC**  
       Facility:                       Quick Pantry 2  
       Location:                      8640 Old State Road  
  Holly Hill, SC 29059  
       Mailing Address:           2182 Magnolia Street  
  Orangeburg, SC 291158  
  
       County:                        Orangeburg  
       Previous Orders:            None  
       Permit/ID Number:         13185  
       Violations Cited:           The State Underground Petroleum  
  Environmental Response Bank Act of 1988, S.C. Code Ann. § 44-2-10 *et seq.*  
  (2018) (SUPERB Act); and South Carolina Underground Storage Tank Control  
  Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.40(a) and 280.43(d) (2012 and  
  Supp. 2019).

Summary: Quick Pantry of Orangeburg, LLC (Individual/Entity) is the owner of underground storage tanks (USTs) located in Orangeburg County, South Carolina. The Department conducted an inspection on April 22, 2019. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to provide an adequate release detection method and failed to conduct automatic tank gauging properly.

Action: The Individual/Entity is required to: submit either current, passing automatic tank gauge records for the 8,000-gallon regular and 6,000-gallon diesel USTs or proof that the 8,000-gallon regular and 6,000-gallon diesel USTs have an adequate release detection method in place by February 13, 2021. The Department has assessed a total civil penalty in the amount of four thousand, six hundred fifteen dollars (\$4,615.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, six hundred fifteen dollars (**\$4,615.00**) by February 12, 2021.

Updates: None.

2)     Order Type and Number:                     Administrative Order 20-0202-UST  
          Order Date:                                 December 8, 2020  
          Individual/Entity:                     **Estate of Albert Rollings, Sr.**  
          Facility:                                 City Service  
          Location:                                 204 South Main Street  
   Jefferson, SC 29718  
  
          Mailing Address:                     P.O. Box 485  
   Jefferson, SC 29718  
  
          County:                                 Chesterfield  
          Previous Orders:                     None  
          Permit/ID Number:                     02300  
          Violations Cited:                     The State Underground Petroleum  
   Environmental Response Bank Act of 1988, S.C. Code Ann. § 44-2-10 et seq.  
   (2018) (SUPERB Act); and South Carolina Underground Storage Tank Control  
   Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.70(c), 280.93(a), and 280.110(c)  
   (2012 and Supp. 2019).

Summary: Estate of Albert Rollings, Sr. (Individual/Entity) is the owner of underground storage tanks (USTs) located in Chesterfield County, South Carolina. The Department conducted file reviews on September 30, 2019, and August 10, 2020. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: 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; failed to demonstrate financial responsibility for an UST system; failed to submit evidence of financial assurance to the Department upon request; and failed to pay annual UST registration fees.

Action: The Individual/Entity is required to: pay outstanding annual tank registration fees and associated late fees for fiscal years 2016, 2017, 2018, 2019, 2020, and 2021 in the amount of six thousand, two hundred ninety-two dollars (\$6,292.00); submit a completed Certificate of Financial Responsibility and provide evidence of financial assurance; submit a completed Tank and Sludge Disposal form by February 14, 2021; within forty-five (45) days of this submission, submit proof the USTs have been permanently closed; and submit a UST Closure and Assessment Report sixty (60) days after permanently closing the USTs. The Department has assessed a total civil penalty in the amount of seventeen thousand, two hundred fifty dollars (\$17,250.00). The Individual/Entity shall pay a civil penalty in the amount of seventeen thousand, two hundred fifty dollars (**\$17,250.00**) by February 12, 2021.

Updates: None.

3) Order Type and Number: Administrative Order 20-0207-UST  
Order Date: December 8, 2020  
Individual/Entity: **Donald Kenneth Graham**  
Facility: Sam's Grocery & Grill  
Location: 1969 South Highway 501  
Marion, SC 29571  
Mailing Address: 546 Shannon Road  
Marion, SC 29571  
County: Marion  
Previous Orders: None  
Permit/ID Number: 06208  
Violations Cited: The State Underground Petroleum  
Environmental Response Bank Act of 1988, S.C. Code Ann. § 44-2-10 et seq.  
(2018) (SUPERB Act); and South Carolina Underground Storage Tank Control  
Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.70(c), 280.93(a), and 280.110(c)  
(2012 and Supp. 2019).

Summary: Donald Kenneth Graham (Individual/Entity) is the owner of underground storage tanks (USTs) located in Marion County, South Carolina. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: 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; failed to demonstrate financial responsibility for an UST system; failed to submit evidence of financial assurance to the Department upon request; and failed to pay annual UST registration fees.

Action: The Individual/Entity is required to: pay outstanding annual tank registration fees and associated late fees for fiscal years 2016, 2018, 2019, 2020, and 2021 in the amount of six thousand, thirty-eight dollars (\$6,038.00); submit a completed Certificate of Financial Responsibility and evidence of financial assurance; submit a completed Tank and Sludge Disposal form by February 5, 2021, and within forty-five (45) days of this submission, proof that the USTs have been permanently closed; and submit a UST Closure and Assessment Report sixty (60) days after permanently closing the USTs. The Department has assessed a total civil penalty in the amount of twenty-three thousand, five hundred and fifty-four dollars (\$23,554.00). The Individual/Entity shall pay a civil penalty in the amount of twenty-three thousand, five hundred fifty-four dollars (**\$23,554.00**) by February 5, 2021.

Updates: None.

4) Order Type and Number: Administrative Order 19-0113-UST  
Order Date: December 15, 2020  
Individual/Entity: **Sunshine Foods**  
Facility: Sunshine Food Store 2  
Location: 1266 Remount Road  
North Charleston, SC 29406  
Mailing Address: Same  
County: Charleston  
Previous Orders: None  
Permit/ID Number: 01354  
Violations Cited: The State Underground Petroleum  
Environmental Response Bank Act of 1988, S.C. Code Ann. § 44-2-10 et seq.  
(2018) (SUPERB Act); and South Carolina Underground Storage Tank Control  
Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.30(a), 280.31(a), 280.34(c),  
280.40(a), 280.40(a)(2), 280.41(b)(1)(i)(B), 280.44(a), 280.50, 280.93(a), and  
280.110(c) (2012 and Supp. 2019).

Summary: Sunshine Foods (Individual/Entity) is the owner of underground storage tanks (USTs) located in Charleston County, South Carolina. The Department conducted both an inspection and file review in March 2019. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to ensure releases due to spilling or overfilling do not occur; failed to maintain and operate corrosion protection equipment continuously; failed to provide records to the Department upon request; failed to provide an adequate release detection method for a UST system; failed to properly install, calibrate, operate, and maintain release detection equipment; failed to conduct an annual line tightness test on pressurized lines of a UST system; failed to conduct an annual test of automatic line leak detectors; failed to report a suspected release within twenty-four (24) hours; failed to demonstrate financial responsibility for an UST system; failed to submit evidence of financial assurance to the Department upon request; and failed to pay annual UST registration fees.

Action: The Individual/Entity is required to: submit either the most recent twelve (12) months of automatic tank gauge records for all USTs or tank tightness test results for all USTs; submit line tightness test results for both the 12,000-gallon regular and 8,000-gallon regular non-ethanol USTs; submit line leak detector function check results for all USTs; submit proof that unprotected metal components in all UST dispenser sumps are isolated from soil and/or water and proof that any removed soil and/or water has been disposed of properly; submit hydrostatic test results for all spill buckets; pay outstanding annual tank registration fees and associated late fees for fiscal year 2020 in the amount of two thousand, four hundred twenty dollars (\$2,420.00); and submit a completed Certificate of Financial Responsibility and evidence of financial assurance by February 19, 2021. The Department has assessed a total civil penalty in the amount of sixteen thousand, five hundred dollars (\$16,500.00). The Individual/Entity shall pay a civil penalty in the amount of sixteen thousand, five hundred dollars (**\$16,500.00**) by February 19, 2021.

Updates: None.

- 5) Order Type and Number: Consent Order 20-0243-UST  
Order Date: December 8, 2020  
Individual/Entity: **Samer Express, LLC**  
Facility: Glenn Road Convenience Store  
Location: 295 Glenn Road  
West Columbia, SC 29172  
Mailing Address: Same  
County: Lexington  
Previous Orders: 20-0046-UST (\$1,000.00)  
Permit/ID Number: 19853  
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-60(A) et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.20(c)(1)(ii) (2012 & Supp 2019).

Summary: Samer Express, LLC (Individual/Entity) owns and operates underground storage tanks in Lexington County, South Carolina. An inspection and Notice of Violation was issued on October 12, 2020. the Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to maintain overfill prevention.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**) by January 22, 2021.

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

### **Hazardous Waste Enforcement**

- 6) Order Type and Number: Consent Order 20-14-HW  
Order Date: December 30, 2020  
Individual/Entity: **Schaeffler Group USA, Inc.**  
Facility: Schaeffler Group USA, Inc.  
Location: 301 Hwy 1 South  
Cheraw, SC 29520  
Mailing Address: Same  
County: Chesterfield  
Previous Orders: None  
Permit/ID Number: SCD 049 128 598  
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. 2019).

Summary: Schaeffler Group USA, Inc. (Individual/Entity) is a manufacturing facility located in Chesterfield County, South Carolina. The Department conducted an inspection on August 19, 2020. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to mark or label its containers with an indication of the hazards of the contents; failed to contact the transporter and or the owner or operator of the designated facility to determine the status of the hazardous waste; failed to submit an Exception Report to the Agency when it did not receive a copy of the manifest with the handwritten signature from the designated facility; failed to describe in the Contingency Plan the actions facility personnel would take during an emergency; failed to include in the Contingency Plan a list of all emergency equipment at the facility and its location along with a brief outline of its capabilities; failed to submit a copy of the contingency plan and all revisions to all local emergency responders; failed to submit a quick reference guide of the contingency plan to the local emergency responders; failed to maintain universal waste batteries and universal waste lamps in a manner to prevent a release and to keep such containers closed; failed to immediately clean up broken pieces of universal waste lamps; failed to clearly label or mark universal waste batteries or a container of batteries with one of the following phrases: “Universal Waste – Battery(ies),” or “Waste Battery(ies),” or “Used Battery(ies)”; and failed to clearly label or mark universal waste lamps or a container of lamps with one with one of the following phrases: “Universal Waste- Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s).”

Action: The Individual/Entity is required to: submit an updated Contingency Plan for the facility by January 29, 2021. The Department assessed a total civil penalty in the amount of six thousand eight hundred dollars (\$6,800.00). The Individual/Entity shall pay a civil penalty in the amount of six thousand eight hundred dollars (**\$6,800.00**) by January 29, 2021.

Updates: None.

## **BUREAU OF WATER**

### **Recreational Waters Enforcement**

7)	<u>Order Type and Number:</u>	Consent Order 20-136-RW
	<u>Order Date:</u>	December 11, 2020
	<u>Individual/Entity:</u>	<b>City of Darlington</b>
	<u>Facility:</u>	Darlington City Pool
	<u>Location:</u>	101 Gary Street Darlington, SC 29532
	<u>Mailing Address:</u>	P.O. Box 57 Darlington, SC 29540
	<u>County:</u>	Darlington

Previous Orders: None  
Permit/ID Number: 16-014-2  
Violations Cited: S.C. Code Ann. Regs. 61-51.J.22

Summary: The City of Darlington (Individual/Entity) owns and is responsible for the proper operation and maintenance of a kiddie pool located in Darlington County, South Carolina. The Department issued a Notice of Alleged Violation on November 12, 2020, as a result of a review of inspection records. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to fill in or remove a kiddie pool, which has been permanently closed for a period in excess of twenty-four consecutive months.

Action: The Individual/Entity is required to: submit to the Department for review and approval, a plan detailing the procedure and materials to be used to properly fill in or remove the kiddie pool within fifteen days of execution date of the Order; and, complete the procedure in accordance with the plan and contact the Department to schedule an inspection to verify the completed work within ninety days of the Department's approval of the plan. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four hundred dollars (**\$400.00**) should any requirement of the Order not be met.

Updates: The Individual/Entity submitted a plan to fill in the kiddie pool and the plan was approved on January 4, 2021.

8) Order Type and Number: Consent Order 20-137-RW  
Order Date: December 17, 2020  
Individual/Entity: **Beach Club at Montego Inn Homeowners Association, Inc.**  
Facility: Montego Inn Beach Club  
Location: 1307 South Ocean Boulevard  
Myrtle Beach, SC  
Mailing Address: Same  
County: Horry  
Previous Orders: 18-147-RW (\$680.00)  
Permit/ID Number: 26-H76-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Beach Club at Montego Inn Homeowners Association, Inc. (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 June 9, 2020, and July 16, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: skimmers were missing weirs; the drinking water fountain was not operating properly; the chlorine and pH levels were not within the acceptable range of water quality standards; the life ring rope was broken; the emergency notification device was not operational; and, the bound and numbered log book was not available for Department



review during the first inspection and was not maintained on a daily basis during the second inspection.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of one thousand, six hundred dollars (\$1,600.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, six hundred dollars **(\$1,600.00)**.

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

9) Order Type and Number: Consent Order 20-138-RW  
Order Date: December 17, 2020  
Individual/Entity: **Blue Atlantic Columbia, LLC**  
Facility: The Station at Five Points  
Location: 2025 Gervais Street  
Columbia, SC 29201  
Mailing Address: Same  
County: Richland  
Previous Orders: None  
Permit/ID Number: 40-1160B  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Blue Atlantic Columbia, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Richland County, South Carolina. The Department conducted inspections on June 10, 2020, and July 13, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the pool floor, walls, deck, and waterline tiles were not clean; there was algae on the pool floor; there was standing water on the pool deck; the pool furniture was not at least four feet from the edge of the pool; the gate did not self-close and latch; the chlorine level was not within the acceptable range of water quality standards; the life ring rope was deteriorated; there were no "Shallow Water – No Diving Allowed" signs posted; the current pool operator of record information was not posted to public; and, the bound and numbered log book was not maintained at least three times per week by the current pool operator of record and was not maintained on a daily basis.

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

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

10)	<u>Order Type and Number:</u>	Consent Order 20-139-RW
	<u>Order Date:</u>	December 17, 2020
	<u>Individual/Entity:</u>	<b>Kilnsea Village Apartments, LLC</b>
	<u>Facility:</u>	Kilnsea Village Apartments
	<u>Location:</u>	9690 Dorchester Road North Charleston, SC 29405
	<u>Mailing Address:</u>	201 North Elm Street Greensboro, NC 27401
	<u>County:</u>	Charleston
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	10-1212B
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Kilnsea Village Apartments, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on June 16, 2020, and July 27, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the lifeline floats were not properly spaced; the drinking water fountain was not operating; the foot rinse shower was not operating; the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the pool rules sign did not have all of the required rules; and, the cyanuric acid levels were not recorded in the bound and numbered log book a minimum of once per week.

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**).

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

11)	<u>Order Type and Number:</u>	Consent Order 20-142-RW
	<u>Order Date:</u>	December 21, 2020
	<u>Individual/Entity:</u>	<b>Longpoint Property Owners Association, Inc.</b>
	<u>Facility:</u>	Long Point
	<u>Location:</u>	251 Needlerush Parkway @ Mt Royal Mount Pleasant, SC 29464
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Charleston
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	10-406-1
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Longpoint Property Owners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on July 8, 2020, and August 5, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the lifeline floats were not properly spaced; skimmers were missing weirs; skimmer baskets were floating; the chlorine level was not within the acceptable range of water quality standards; and, the lettering on the “Shallow Water – No Diving Allowed” and the “No Lifeguard On Duty – Swim At Your Own Risk” signs was not the appropriate size.

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**).

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

12) <u>Order Type and Number:</u>	Consent Order 20-141-RW
<u>Order Date:</u>	December 22, 2020
<u>Individual/Entity:</u>	<b>Wahoo Aquatic Club, Inc.</b>
<u>Facility:</u>	Live to Play
<u>Location:</u>	1513 Mathis Ferry Road Mount Pleasant, SC 29464
<u>Mailing Address:</u>	164 Market Street, Suite 307 Charleston, SC 29401
<u>County:</u>	Charleston
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	10-1196B
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Wahoo Aquatic Club, Inc. (Individual/Entity) manages and is responsible for the proper operation and maintenance of a pool located in Charleston County, South Carolina. The Department conducted inspections on May 29, 2020, and July 8, 2020, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a skimmer was missing a weir; there was debris in the skimmer baskets; the shepherd’s crook was not properly mounted in its designated location; the emergency notification device was not operational; only one “Shallow Water – No Diving Allowed” sign was posted; and, the bound and numbered log book was not maintained on a daily basis.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of six hundred eighty dollars (\$680.00). The

Individual/Entity shall pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

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

### **Drinking Water Enforcement**

13) <u>Order Type and Number:</u>	Consent Order 20-029-DW
<u>Order Date:</u>	December 11, 2020
<u>Individual/Entity:</u>	<b>Ellenburg Campground, LLC</b>
<u>Facility:</u>	Coltsfoot Circle & Tuckaway Lane
<u>Location:</u>	1 Coltsfoot Circle Sunset, SC 29685
<u>Mailing Address:</u>	435 Riggins Bridge Road Liberty, SC 29657
<u>County:</u>	Pickens
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	3970680 & 3970805
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7 & 61-58.8.B

Summary: Ellenburg Campground, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of two (2) public water systems (PWSs) located in Pickens County, South Carolina. The Department conducted an inspection on September 8, 2020, and the PWSs were rated unsatisfactory for failure to properly operate and maintain, and failure to provide a copy of a complete Emergency Preparedness Plan. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the vents at the wells were not elbowed downward and were not at least eighteen inches above the well house floors; the sample taps at the wells were threaded; there were gaps in the sanitary seals at the wells; there was electrical wiring that was not in conduit; the storage capacity and number of taps was not the originally permitted amount; the system map was not updated; the Emergency Preparedness Plan was not complete; and, the procedures manual was not complete.

Action: The Individual/Entity is required to: replace the vents and sample taps at the wells, seal the gaps in the sanitary seals, and place the electrical wiring in conduit by November 30, 2020; submit to the Department applications to obtain construction permits to address the storage capacity deficiency by February 1, 2021; complete the work in accordance with the construction permits and contact the Department to request inspections and obtain written approvals to operate within thirty days of the date of the issuance of the construction permits; and submit an updated system map, a complete Emergency Preparedness Plan, and a complete procedures manual for the PWSs within thirty days of obtaining the written approvals to operate. The Department has assessed a total civil penalty in the amount of eleven thousand dollars (\$11,000.00). The Individual/Entity shall

pay a civil penalty in the amount of one thousand, one hundred dollars (**\$1,100.00**) and pay a stipulated penalty in the amount of nine thousand, nine hundred dollars (\$9,900.00) should any requirement of the Order not be met.

Updates: The Individual/Entity has completed all the requirements that were due by November 30, 2020. The Individual/Entity has paid the assessed civil penalty.

14) Order Type and Number: Consent Order 20-030-DW  
Order Date: December 17, 2020  
Individual/Entity: **Town of Clio**  
Facility: Town of Clio  
Location: 101 Calhoun Street  
Clio, SC 29525  
Mailing Address: P.O. Box 487  
Clio, SC 29525  
County: Marlboro  
Previous Orders: None  
Permit/ID Number: 34WS050  
Violations Cited: S.C. Code Ann. Regs. 61-113.H.2

Summary: The Town of Clio (Individual/Entity) owns and is responsible for obtaining the proper permit for a groundwater withdrawal system located in Marlboro County, South Carolina. On August 14, 2020, a violation was issued as a result of Department review of groundwater withdrawal permitting records. The Individual/Entity has violated the Groundwater Use and Reporting Regulation as follows: failed to submit a completed application to the Department to renew its groundwater withdrawal permit at least ninety days prior to the expiration date.

Action: The Individual/Entity is required to: submit to the Department for review and approval a completed application for the renewal of its groundwater withdrawal permit by January 17, 2021. 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**).

Updates: The civil penalty is to be paid in four monthly installments due January 15, 2021, February 15, 2021, March 15, 2021, and April 15, 2021.

15) Order Type and Number: Consent Order 20-031-DW  
Order Date: December 17, 2020  
Individual/Entity: **Hewitt Oaks, LLC**  
Facility: Hewitt Oaks  
Location: 203 Stillwell Road  
Bluffton, SC 29910  
Mailing Address: Same

County: Beaufort  
Previous Orders: None  
Permit/ID Number: 0770935  
Violations Cited: S.C. Code Ann. Regs. 61-58.17.K(1)(a)

Summary: Hewitt Oaks, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Beaufort County, South Carolina. On October 5, 2020, a violation was issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the PWS tested present for total coliform and E. coli, which resulted in a violation of the maximum contaminant level (MCL) for E. coli.

Action: The Individual/Entity is required to: submit an investigative report and a corrective action plan to address the causes of the total coliform present results at the PWS by January 17, 2021. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a **stipulated** penalty in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

Updates: None

### **Water Pollution Enforcement**

16) Order Type and Number: Consent Order 20-046-W  
Order Date: December 3, 2020  
Individual/Entity: **City of West Columbia**  
Facility: West Columbia Water Treatment Plant  
Location: 406 Sunset Boulevard  
West Columbia, SC 29169  
Mailing Address: P.O. Box 4044  
West Columbia, SC 29169  
County: Lexington  
Previous Orders: None  
Permit/ID Number: SCG646005  
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) (2008 & Supp. 2019), Water Pollution Control Permits, 3 S.C. Code Ann Regs. 61-9.122.21(d) (2011), and NPDES Permit SCG646005

Summary: City of West Columbia (Individual/Entity) owns and is responsible for the proper operation and maintenance of a water treatment plant (WTP) in Lexington County, South Carolina. On August 11, 2020, a Notice of Violation was issued as a result of its failure to reapply for permit coverage within one hundred eighty (180) days prior to the existing NPDES Permit's expiration date. 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 WTP 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 seven hundred dollars (\$700.00). The Individual/Entity shall pay a civil penalty in the amount of seven hundred dollars (**\$700.00**) by January 2, 2021.

Updates: The Individual/Entity has paid the civil penalty. The Department received an administratively complete application on October 1, 2020.

17) Order Type and Number: Consent Order 20-047-W  
Order Date: December 3, 2020  
Individual/Entity: **City of Walhalla**  
Facility: Walhalla Water Treatment Plant  
Location: Old Walhalla Highway and Melton Road  
Walhalla, SC 29691  
Mailing Address: P.O. Box 1099  
Walhalla, SC 29691  
County: Oconee  
Previous Orders: None  
Permit/ID Number: SCG646084  
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) (2008 & Supp. 2019), Water Pollution Control Permits, 3 S.C. Code Ann Regs. 61-9.122.21(d) (2011), and NPDES Permit SCG646084.

Summary: City of Walhalla (Individual/Entity) owns and is responsible for the proper operation and maintenance of a water treatment plant (WTP) in Oconee County, South Carolina. On August 12, 2020, a Notice of Violation was issued as a result of its failure to reapply for permit coverage within one hundred eighty (180) days prior to the existing NPDES permit's expiration date. 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 WTP in accordance with the most recent NPDES Permit until a new permit becomes effective and submit an administratively complete application for permit renewal by December 18, 2020. 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 January 2, 2021.

Updates: The Individual/Entity has paid the civil penalty. The Department also received an administratively complete permit renewal application on December 18, 2020.

18) Order Type and Number: Consent Order 20-048-W  
Order Date: December 8, 2020  
Individual/Entity: **Town of Lynchburg**  
Facility: Lynchburg Water Treatment Plant  
Location: Off U.S. 76 East  
Lynchburg, SC 29080  
Mailing Address: P.O. Box 147  
Lynchburg, SC 29080  
County: Lee  
Previous Orders: None  
Permit/ID Number: SCG646035  
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) (2008 & Supp. 2019), Water Pollution Control Permits, 3 S.C. Code Ann Regs. 61-9.122.21(d) (2011), and NPDES Permit SCG646035

Summary: Town of Lynchburg (Individual/Entity) owns and is responsible for the proper operation and maintenance of a water treatment plant (WTP) in Lee County, South Carolina. On August 19, 2020, a Notice of Violation was issued as a result of its failure to reapply for permit coverage within one hundred eighty (180) days prior to the existing NPDES Permit's expiration date. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to submit an application for renewal for 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 WTP 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 January 7, 2021.

Updates: The Individual/Entity has paid the civil penalty. The Department also received an administratively complete permit renewal application on August 12, 2020.

19) Order Type and Number: Consent Order 20-049-W  
Order Date: December 17, 2020  
Individual/Entity: **SC Dept. of Parks, Recreation, & Tourism**  
Facility: SCPRT/Oconee State Park  
Location: 624 State Park Road, Mountain Rest  
Oconee, SC  
Mailing Address: 1205 Pendleton Street, Suite 251



Columbia, SC  
County: Oconee  
Previous Orders: None  
Permit/ID Number: SCG570014  
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) (2008 & Supp. 2019), and Water Pollution Control Permits Regulation, S.C. Code Ann. Regs. 61-9.122.41(a) (2011), and NPDES Permit SCG570014

Summary: The South Carolina Department of Parks, Recreation, & Tourism (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility in Oconee County, South Carolina. On February 12, 2020, the Department issued a Notice of Violation for failure to submit required monitoring reports. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to meet the required frequency of analysis (did not sample) for biochemical oxygen demand (BOD), total suspended solids (TSS), ammonia-nitrogen, total residual chlorine (TRC), E.coli, BOD percent removal, and suspended solids (SS) percent removal for the October 2019 and November 2019 monthly monitoring periods.

Action: The Individual/Entity is required to submit to the Department a Contingency Plan by January 17, 2021, that addresses how sampling will be performed during unforeseen events and must include explanations of corrective actions taken to address the failures to sample. The Department has assessed a total civil penalty in the amount of four thousand one hundred dollars (\$4,100.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four thousand one hundred dollars (**\$4,100.00**) should any requirement of the Order not be met, including any implementation schedule approved by the Department.

Updates: The Individual/Entity submitted a draft Contingency Plan on January 11, 2021. Upon receiving Department comments on the draft, the Individual/Entity submitted an updated Contingency Plan, which is currently under Department review.

20) Order Type and Number: Consent Order 20-050-W  
Order Date: December 31, 2020  
Individual/Entity: **City of Liberty**  
Facility: City of Liberty Sewer Collection System  
Location: 206 West Front Street  
Liberty, SC 29657  
Mailing Address: Same  
County: Pickens  
Previous Orders: None  
Permit/ID Number: SSS000852

Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) and § 48-1-95(D)(1), Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.610.3(a)(b) and (c), and Part III. A of NPDES Permit SC0024465

Summary: The City of Liberty (Individual/Entity) owns and is responsible for a satellite sewer collection system located in Pickens County, South Carolina. On April 16, 2020, the Department issued a Notice of Alleged Violation as a result of the unsatisfactory inspection conducted on March 22, 2019, and the subsequent unsatisfactory inspection responses. The Individual/Entity has violated the Pollution Control Act and the South Carolina Water Pollution Control Permits Regulation, as follows: failed to properly manage, operate and maintain its collection system; failed to provide adequate capacity to convey base flows and peak flows; failed to take all reasonable steps to stop and mitigate the impact of releases or wastewater; and discharged untreated wastewater into the environment not in compliance with the permit.

Action: The Individual/Entity is required to: submit preliminary engineering reports (PERs) for improvements at Pump Station 5, and written procedures for properly reporting sewer system overflows (SSOs) by January 31, 2021; submit preliminary engineering reports for improvements at Pump Stations 1, 2, and 4, and begin conducting a capacity, management, operations and maintenance (cMOM) audit by March 1, 2021; complete construction activities of Pump Station 5 within one hundred eighty (180) days from beginning the construction; and, complete construction activities of Pump Stations 1, 2 and 4 by November 30, 2021. The Department has assessed a total civil penalty in the amount of twelve thousand dollars (\$12,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of twelve thousand dollars (**\$12,000.00**) should any requirement of the Order not be met.

Updates: None.

21) Order Type and Number: Consent Order 20-051-W  
Order Date: December 31, 2020  
Individual/Entity: **Mr. David Walker**  
Facility: Walker Swine Slaughter Facility  
Location: Located near the intersection of Highway 178 and Harris Bridge Road in Anderson, SC 29621  
Mailing Address: 1011 Walker Circle  
Anderson, SC 29621  
County: Anderson  
Previous Orders: None  
Permit/ID Number: ND0000396  
Violations Cited: South Carolina Standards for the Permitting of Agricultural Animal Facilities, S.C. Code Ann Reg. 61-43.100.90 (2011); Environmental Protection Fees, S.C. Code Ann. Regs. 61-30.C(2)(a), C(2)(c), C(2)(d), and 61-30.G.1(a)(v)(2)(B)(2011).

Summary: Mr. David Walker (Individual/Entity) owns and is responsible for the proper operation and maintenance of a swine slaughter facility located in Anderson County, South Carolina. On June 14, 2019, the Department issued a Notice of Alleged Violation as a result of an unsatisfactory inspection conducted on May 22, 2019 and for failure to pay past due operating fees. The Individual/Entity has violated the South Carolina Standards for the Permitting of Agricultural Animal Facilities in that it failed to properly operate and maintain the facility within Permit requirements and has not remitted past due annual operating fees.

Action: The Individual/Entity is required to: submit a corrective action plan (CAP) including a schedule of implementation to adequately address the operation and maintenance violations by January 31, 2021; and submit payment of the last three (3) years of past due operating fees by April 1, 2021. The Department has assessed a total civil penalty in the amount of five thousand, thirty-six dollars nine cents (\$5,036.09). The Individual/Entity shall pay a civil penalty in the amount of five thousand, thirty-six dollars nine cents (**\$5,036.09**) by April 1, 2021.

Updates: None

### **BUREAU OF AIR QUALITY**

22) Order Type and Number: Consent Order 20-006-A  
Order Date: December 5, 2020  
Individual/Entity: **Haile Gold Mine, Inc.**  
Facility: Haile Gold Mine, Inc.  
Location: 6911 Snowy Owl Road  
Kershaw, SC 29067  
Mailing Address: Same  
County: Kershaw  
Previous Orders: None  
Permit/ID Number: 1460-0070  
Violations Cited: EPA regulations at 40 CFR Part 63 and 5 S.C. Code Ann. Regs. 61-62.63 (Supp. 2019), Subpart EEEEEEE – National Emission Standards for Hazardous Air Pollutants: Gold Mine Ore Processing And Production Area Source Category (collectively, “Subpart 7E”)

Summary: Haile Gold Mine (Individual/Entity) operates a gold mine located in Kershaw, South Carolina. The Individual/Entity has violated the U.S. EPA Regulations and the South Carolina Air Pollution Control Regulation, as follows: failed to limit mercury emissions to no more than 0.14 pounds of mercury per ton of concentrate processed during Department-approved source tests performed March 2018, December 2018, January 2019, and March 2019; submit source test results to the Department within 60 days following the date of the source test; establish operating limits for the water flow rate and pressure drop

for wet scrubbers; submit operating limits to the Department for approval; submit a Subpart 7E Notice of Compliance Status to the Department; obtain a Department-issued construction permit prior to constructing, altering, or adding to a source of air contaminants; submit a written request to the Department for a new or revised operating permit to cover any new or altered source, postmarked no later than fifteen (15) days after the actual date of initial startup; and submit accurate semi-annual reports to the Department within the prescribed timeframe.

Action: The Individual/Entity is required to: implement all reporting requirements; limit mercury emissions to no more than 0.14 pounds of mercury per ton of concentrate processed; establish required operating limits; utilize an approved method for the control of mercury emissions; obtain a Department-issued construction permit prior to constructing, altering, or adding to a source of air contaminants; implement all applicable source testing requirements, including submitting accurate and timely notification requests and source test reports, in accordance with the requirements of Subpart 7E, state regulatory requirements, and requirements of the Construction Permit; submit a complete operating permit request for the new mercury abatement and control system; and submit a 7E Notice of compliance Status by January 5, 2021. The Department has assessed a total civil penalty in the amount of one hundred thousand dollars (\$100,000.00). The Individual/Entity shall pay a civil penalty in the amount of one hundred thousand dollars (**\$100,000.00**) by January 8, 2020.

Updates: On January 2, 2020, the Department issued Construction Permit 1460-0070-CB to the Individual/Entity for the mercury abatement system. On February 11-13, 2020, the Individual/Entity demonstrated compliance with its 0.14 lb/ton concentrate limit for mercury emissions during a Department-approved source test. The source test report was submitted to the Department in a timely manner. The NOCS was submitted to the Department on November 2, 2020 and the civil penalty was paid January 8, 2021.

23)	<u>Order Type and Number:</u>	Consent Order 20-007-A
	<u>Order Date:</u>	December 30, 2020
	<u>Individual/Entity:</u>	<b>Giant Cement Company</b>
	<u>Facility:</u>	Giant Cement Company
	<u>Location:</u>	654 Judge Street Harleyville, South Carolina 29448
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Dorchester
	<u>Previous Orders:</u>	18-041-A (\$10,000.00)
	<u>Permit/ID Number:</u>	0900-0002
	<u>Violations Cited:</u>	40 CFR 63.1209(k)(1) and (n)(1) and S.C. Code Ann. Regs. 61-62.63.1209(k)(1) and (n)(1), 40 CFR 63.1206(b)(13)(i)(A)(3), S.C. Code Ann. Regs. 61- 62.63.1206(b)(13)(i)(A)(3), and S.C. Code Ann. Regs. 61-62.1, Section II, Permit Requirements

Summary: Giant Cement Company (Individual/Entity), operates a Portland cement manufacturing plant located in Dorchester County, South Carolina. The Individual/Entity has violated the U.S. EPA regulations and the South Carolina Air Pollution Control Regulation, as follows: failed to comply with the established gas inlet temperature operating limit for the main baghouse and the bypass baghouse during the reporting periods of January 1, 2018 through June 30, 2018, July 1, 2018 through December 31, 2018, January 1, 2019 through June 30, 2019, July 1 through December 31, 2019, and January 1 to June 30, 2020; and, failed to comply with the established THC concentration operating limit for the bypass gas and calciner first stage exit gas during the reporting periods of July 1, 2018 through December 31, 2018, July 1 through December 31, 2019, and January 1 to June 30, 2020.

Action: The Individual/Entity is required to: maintain compliance with all applicable requirements of Subpart EEE; submit to the Department, for approval, a corrective action plan for continuous compliance by March 2, 2021. The Department has assessed a total civil penalty in the amount of forty-one thousand six hundred dollars (\$41,600.00). The Individual/Entity shall pay a civil penalty in the amount of forty-one thousand six hundred dollars (**\$41,600.00**) by February 12, 2021.

Updates: None.

24) <u>Order Type and Number:</u>	Consent Order 20-008-A
<u>Order Date:</u>	December 30, 2020
<u>Individual/Entity:</u>	<b>Tidewater Boats LLC</b>
<u>Facility:</u>	Tidewater Boats LLC
<u>Location:</u>	142 Brickyard Rd Lexington, SC 29072
<u>Mailing Address:</u>	Same
<u>County:</u>	Lexington
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	1560-0273
<u>Violations Cited:</u>	40 CFR 70.5(a)(1)(i), S.C. Code Ann. Regs 61-62.70.5(a)(1)(i), and S.C. Code Ann. Regs. 61-62.1, Section II, Permit Requirements

Summary: Tidewater Boats LLC (Individual/Entity), operates a boat manufacturing facility located in Lexington County, South Carolina. The Individual/Entity has violated U.S. EPA Regulations and the South Carolina Air Pollution Control Regulation, as follows: failed to submit a timely Part 70 (Title V) Permit application within 12 months of startup.

Action: The Individual/Entity is required to: comply with all terms and conditions of Construction Permit 1560-0273, until such time as the Department issues the Title V Permit. 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 January 30, 2020.

Updates: The Individual/Entity has submitted a Title V permit application which is currently under review and the civil penalty has been paid. This Order has been closed.

## **BUREAU OF ENVIRONMENTAL HEALTH SERVICES**

### **Food Safety Enforcement**

25) Order Type and Number: Consent Order 2020-02-021  
Order Date: December 1, 2020  
Individual/Entity: **Yee-Haw Brewery**  
Facility: Yee-Haw Brewery  
Location: 307 East McAbee Avenue, Suite C  
Greenville, SC 29601  
Mailing Address: 7100 B Kingston Pike  
Knoxville, TN 37919  
County: Greenville  
Previous Orders: None  
Permit Number: 23-206-11955  
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Yee-Haw Brewery (Individual/Entity) is a restaurant located in Greenville County, South Carolina. The Department conducted inspections on September 4, 2018, June 3, 2019, and March 2, 2020. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to properly cool cooked time/temperature control for safety foods; and failed to use effective methods to cool cooked time/temperature control for safety foods.

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

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

## On Site Wastewater Enforcement

26) Order Type and Number: Administrative Order 20-118-OSWW  
Order Date: December 3, 2020  
Individual/Entity: **Tommy J. Hiott**  
Facility: Tommy J. Hiott  
Location: 7219 Frost Avenue  
Columbia, SC 29203  
Mailing Address: 206 Tram Road  
Columbia, SC 29210  
County: Richland  
Previous Orders: None  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Tommy J. Hiott (Individual/Entity) owns property located in Richland County, South Carolina. The Department conducted an investigation on October 20, 2020, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

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

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

27) Order Type and Number: Administrative Order 20-119-OSWW  
Order Date: December 3, 2020  
Individual/Entity: **Jeffery Biggs and Amanda McCoy**  
Facility: Jeffery Biggs and Amanda McCoy  
Location: 102 Dogwood Lane  
Townville, SC 29689  
Mailing Address: Same as Location  
County: Anderson  
Previous Orders: None  
Permit Number: None

Violations Cited:

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

Summary: Jeffery Biggs and Amanda McCoy (Individual/Entity) own property located in Anderson County, South Carolina. The Department conducted an investigation on September 8, 2020, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

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

Updates: On January 25, 2021, the case was referred to OGC to file a complaint with the Administrative Law Court.

28) <u>Order Type and Number:</u>	Administrative Order 20-121-OSWW
<u>Order Date:</u>	December 3, 2020
<u>Individual/Entity:</u>	<b>Daniel Gorski</b>
<u>Facility:</u>	Daniel Gorski
<u>Location:</u>	580 Old Metal Road Gaffney, SC 29341
<u>Mailing Address:</u>	562 Old Metal Road Gaffney, SC 29341
<u>County:</u>	Cherokee
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Daniel Gorski (Individual/Entity) owns property located in Cherokee County, South Carolina. The Department conducted an investigation on October 19, 2020, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the



flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

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

29) <u>Order Type and Number:</u>	Administrative Order 20-124-OSWW
<u>Order Date:</u>	December 30, 2020
<u>Individual/Entity:</u>	<b>Rufus Antley</b>
<u>Facility:</u>	Rufus Antley
<u>Location:</u>	Corner of West Church St. and Cathy St. Batesburg-Leesville, SC
<u>Mailing Address:</u>	1104 Tarrytown Lane West Columbia, SC 29169
<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: Rufus Antley (Individual/Entity) owns property located in Lexington County, South Carolina. The Department conducted an investigation on December 1, 2020 and observed domestic wastewater pooling and discharging onto the surface of the ground, as well as dwellings on the Site without an approved means of domestic wastewater disposal. 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; and failed to ensure dwellings occupied for more than two (2) hours a day are provided with an approved means of domestic wastewater disposal.

Action: The Individual/Entity is required to immediately vacate the occupied dwellings at the Site and ensure they remain vacated until a permit is issued by the Department and approved OSWW systems are installed at the Site in accordance with all requirements of S.C. Regulation 61-56. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

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

30) Order Type and Number: Consent Order 20-113-OSWW  
Order Date: December 15, 2020  
Individual/Entity: **David McManus and KW Environmental, LLC**  
Facility: David McManus and KW Environmental, LLC  
Location: 104 Berrywood Court  
Lexington, SC 29072  
Mailing Address: Same  
County: Fairfield and Lexington  
Previous Orders: None  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: David McManus and KW Environmental, LLC (Individual/Entity) is a Department licensed septic tank pumper. The Department conducted an investigation on September 3, 2020 and observed a trail of sewage from the corner of Highway 34 and Old Douglass Road to the intersection of Harden Road and Old Douglass Road, a length of approximately three (3) miles. 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 cease and desist allowing septic tank effluent, domestic wastewater, or sewage to be discharged to the surface of the ground without an appropriate permit from 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**).

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

31) Order Type and Number: Consent Order 20-115-OSWW  
Order Date: December 30, 2020  
Individual/Entity: **Marvin Lane Fowler**  
Facility: Marvin Lane Fowler  
Location: 28 North Main Street  
Cross Hill, SC 29332  
Mailing Address: P.O. Box 1610  
Spartanburg, SC 29304  
County: Laurens  
Previous Orders: None  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Marvin Lane Fowler (Individual/Entity) does not possess a valid Department license to engage in the construction of or repairing of OSWW systems. The Department conducted an investigation on August 7, 2020, after a request for a final inspection of an installed OSWW system. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: 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**) by January 29, 2021.

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

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