

SUMMARY SHEET
 BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
 April 14, 2011

_____ ACTION/DECISION

 X INFORMATION

- I. **TITLE:** Administrative and Consent Orders issued by Environmental Quality Control (“EQC”).
- II. **SUBJECT:** Administrative, Consent and Environmental Health Orders issued by EQC during the period February 1, 2011 – February 28, 2011.
- III. **FACTS:** For the periods February 1, 2011 through February 28, 2011, EQC issued fourteen (14) Consent Orders with total assessed civil penalties in the amount of \$167,760.00 and four (4) Environmental Health Orders with total assessed penalties in the amount of \$2,250.00.

Unless otherwise specified, “Previous Orders” as listed in this report include orders issued by Environmental Quality Control programs within the last five (5) years.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties	Environmental Health Orders	Assessed Penalties
Land and Waste Management						
UST Program	0	0	4	\$2,045.00	0	0
Hazardous Waste	0	0	3	\$78,000.00	0	0
SUBTOTAL	0	0	7	\$80,045.00	0	0
Water						
Drinking Water	0	0	1	\$315.00	0	0
Water Pollution	0	0	4	\$78,200.00	0	0
SUBTOTAL	0	0	5	\$78,515.00	0	0
Air Quality						
SUBTOTAL	0	0	2	\$9,200.00	0	0
Environmental Health						
Food Protection	0	0	0	0	3	\$1,250.00
Onsite Wastewater	0	0	0	0	1	\$1,000.00
General Sanitation	0	0	0	0	0	0
SUBTOTAL	0	0	1	0	4	\$2,250.00
TOTAL	0	0	14	\$167,760.00	4	\$2,250.00

ANALYSIS: During the reporting period, Hazardous Waste Enforcement entered into a Consent Order with Trimac Transportation South (Respondent), a tank cleaning service and hazardous materials transportation service. Violations include, but are not limited to, failure to make an accurate hazardous waste determination on a solid waste; failure to obtain an EPA identification number prior to transport of hazardous waste; failure to mark containers with “hazardous waste;” failure to have emergency contacts and locations of fire extinguishers posted; failure to declare a generator status annually; and, failure to apply for a permit for the treatment of hazardous waste. To comply with the Order, the Respondent must make an accurate hazardous waste determination on all solid wastes; all hazardous wastes that are to be transported is done so by a permitted transporter and treatment, storage, or disposal facility; all required emergency information in posted and all personnel have completed the necessary training requirements; submit an annual declaration of generator status to the Department; and, cease all treatment of hazardous waste until a permit has been obtained. A civil penalty in the amount of forty-seven thousand dollars (\$47,000.00) was assessed.

Water Pollution Enforcement entered into a Consent Order with Tega Cay Water Service, Inc. (Respondent) for violations occurring at the Tega Cay Wastewater Treatment Facility (WWTF) #2, #3, and #4 and the associated wastewater collection systems (WWCS). The Respondent failed to properly operate and maintain all facilities and systems of treatment and control in good working order as required by the Permit; failed to comply with effluent limits for total phosphorus as per its National Pollutant Discharge Elimination System (NPDES); and, discharged untreated wastewater into the environment, including waters of the State, in a manner other than what is compliant with the Permit. To comply with the Order, the Respondent must maintain documentation of all overflows from the WWCS and report orally to the Department within twenty-four hours of discovery; conduct an audit of the WWCS to identify where the overflows have occurred, the corrective actions to be taken, and a report stating the findings and plan to be implemented; and, comply with the effluent limits for total phosphorus. A civil penalty in the amount of sixty thousand dollars (\$60,000.00) was assessed. Two stipulated penalties were also assessed, one in the amount of ten thousand dollars (\$10,000.00) payable if the Respondent fails to comply with the permit limits and the second in the amount of twenty-five thousand dollars (\$25,000.00) payable if the Respondent fails to submit the report and corrective action plan from the WWCS audit.

Food Protection Enforcement entered into three (3) Environmental Health Orders for various violations of the Retail Food Establishment Regulations. Total civil penalties were assessed in the amount of one thousand two hundred fifty dollars (\$1,250.00).

Submitted by:

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Environmental Quality Control