

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
March 13, 2014**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 12-0434-UST
Order Date: August 28, 2013
Respondent: **Willie Beatrice Adams**
Facility: Adam's Amoco
Location: 609 Main Street
Eastover, SC 29044
Mailing Address: 8512 Bluff Road
Gadsden, SC 29052
County: Richland
Previous Orders*: 11-0277-UST (\$1,850.00)
Permit/ID Number: 07776
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) Section 44-2-
60(A) (2012); and, the South Carolina Underground Storage Tank Control
Regulation 61-92.280.34(c); R.61-92.280.40(a); R.61-92.280.40(a)(2);
R.61-92.280.41(a); R.61-92.280.43(d); and, R.61-92.280.45(b)(1) (2012).

Summary: Willie Beatrice Adams (Respondent) owns underground storage tanks (USTs) in Richland County, South Carolina. On July 11, 2012, a Notice of Alleged Violation (NOAV) was issued as a result of a routine compliance inspection. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to have the corrosion protection system tested at least every three years; failure to provide records to the Department upon request; failure to maintain sampling, testing, or monitoring records for at least one year; failure to demonstrate financial responsibility, upon expiration of the previous mechanism; failure to submit updated financial responsibility documentation, upon expiration of the previous mechanism; and; failure to pay annual UST registration fees for fiscal year 2013.

Action: The Respondent is required to: submit valid test results for the corrosion protection system at the Facility; submit a completed Certificate of Financial Responsibility; submit proof of financial responsibility mechanism; pay annual tank registration fees and associated late fees in the amount of four hundred eighty-four dollars (\$484.00) for fiscal year 2013; and, pay a civil

penalty in the amount of six thousand, seven hundred seventy-five dollars (**\$6,775.00**).

- 2) Order Type and Number: Administrative Order 12-0521-UST
Order Date: August 28, 2013
Respondents: **Sanjay and Ulka Patel**
Facility: Forestbrook Grocery
Location: 1272 Forestbrook Road
Myrtle Beach, SC 29579
Mailing Address: 2521 Hunter's Trail
Myrtle Beach, SC 29588
County: Horry
Previous Orders: 11-0148-UST (\$4,158.00)
Permit/ID Number: 17398
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) Section 44-2-60(A) (2012); and, the South Carolina Underground Storage Tank Control Regulation R.61-92.280.31(a); R.61-92.280.34(c); R.61-92.280.35(e); 61-R.92.280.35(f); R.61-92.280.35(g); R.61-92.280.35(h)(2); R.61-92.280.40(a); R.61-92.280.41(a); R.61-92.280.43(h); and, R.61-92.280.45(b)(1) (2012).

Summary: Sanjay and Ulka Patel (Respondents) own underground storage tanks (USTs) in Horry County, South Carolina. On September 12, 2012, a Notice of Alleged Violation (NOAV) was issued as a result of a routine compliance inspection. The Respondents have violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to maintain and operate a corrosion protection (CP) system; failure to provide records to the Department upon request; failure to validate that monthly requirements had been performed; failure to have a Class A/B operator physically visit each assigned Facility once per quarter; failure to train Class C operators before they assume responsibility for the Facility; failure to designate in writing Class C operators and keep a copy at the Facility; failure to provide an adequate release detection method; failure to conduct proper release detection using statistical inventory reconciliation (SIR); failure to maintain sampling, testing or monitoring records for at least one year; and, failure to investigate and confirm a suspected release.

Action: The Respondent is required to: submit twelve (12) months of SIR monitoring reports from September 2011 through August 2012 for all tanks or results of tank and line tightness tests for all tanks; submit a current copy of the Class A/B operator log; submit a current list of trained and designated Class C operators; submit proof that the corrosion protection system has been repaired; submit acceptable test results for the corrosion protection system; and, pay a civil penalty in the amount of nine thousand, two hundred eight dollars (**\$9,208.00**).

- 3) Order Type and Number: Administrative Order 11-0374-UST
Order Date: December 12, 2013
Respondent: **Callawassie Island Company, LP**
Facility: Former Callawassie General Store
Location: 1 Callawassie Drive
Okatie, SC 29910
Mailing Address: 174 Callawassie Drive
Okatie, SC 29910-4245
County: Beaufort
Previous Orders: None
Permit/ID Number: 11719
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and
Supp. 2012), and the South Carolina Underground Storage Tank Control
Regulation 61-92.280.34(c), and R.61-92.280.65 (Supp. 2012).

Summary: Callawassie Island Company, LP (Respondent) owned underground storage tanks (USTs), located in Okatie, South Carolina. On August 24, 2011, a Notice of Alleged Violation was issued as a result of non-compliance at the Facility. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to provide records to the Department upon request; and, failure to determine the full extent of a release in accordance with a schedule established by the Department.

Action: The Respondent is required to: submit a Groundwater Monitoring Report; and, pay a civil penalty in the amount of six thousand, eight hundred seventy-one dollars (**\$6,871.00**).

- 4) Order Type and Number: Administrative Order 13-0365-UST
Order Date: December 12, 2013
Respondent: **Thomas Blake**
Facility: Blakes Texaco Station
Location: 8423 Savannah Highway
Norway, SC
Mailing Address: P.O. Box 32
Norway, SC 29113
County: Orangeburg
Previous Orders: None
Permit/ID Number: 06966
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act), Section 44-2-
60(A) (2002 and Supp. 2012), and the South Carolina Underground
Storage Tank Control Regulation 61-92.280.31(a), R.61-92.280.31(b), and
R.61-92.280.31(c) (Supp. 2012).

Summary: Thomas Blake (Respondent) owns underground storage tanks (USTs), located in Norway, South Carolina. On December 11, 2012, August 1, 2013, and August 26, 2013, Notices of Alleged Violation(s) were issued as a result of non-compliance at the Facility. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to pay annual UST registration fees; failure to maintain and operate a corrosion protection system; failure to inspect the impressed current system every sixty days; and, failure to have the corrosion protection system tested every three years by a qualified tester.

Action: The Respondent is required to: submit acceptable corrosion protection system test results; submit a current rectifier log; pay annual UST registration fees and associated late fees in the amount of three thousand, six hundred thirty dollars (\$3,630.00); and, pay a civil penalty in the amount of three thousand, four hundred fifty dollars (**\$3,450.00**).

5) Order Type and Number: Administrative Order 12-0577-UST
Order Date: December 12, 2013
Respondent: **Oddie Mae Belton**
Facility: Former McLean's Country Store
Location: 2312 Nesmith Road
Nesmith, SC
Mailing Address: 2324 Nesmith Road
Nesmith, SC 29580
County: Williamsburg
Previous Orders: None
Permit/ID Number: 09076
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), Section 44-2-60(A) (2002 and Supp. 2012), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.65, R.61-92.280.93(a), and R.61-92.280.113(c) (Supp. 2012).

Summary: Oddie Mae Belton (Respondent) owned underground storage tanks (USTs), located in Nesmith, South Carolina. On July 13, 2012, and November 6, 2012, Notices of Alleged Violation(s) were issued as a result of non-compliance at the Facility. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to pay annual UST registration fees; failure to determine the full extent of a release in accordance with a schedule established by the Department; and, failure to demonstrate financial responsibility for an UST system.

Action: The Respondent is required to: submit a Quality Assurance Project Plan (QAPP) for a Tier I Assessment, and a Tier I Assessment Report, upon the Department's approval of the QAPP; submit a completed Certificate of

Financial Responsibility and proof of mechanism; pay annual UST registration fees and associated late fees in the amount of four hundred dollars (\$400.00); and, pay a civil penalty in the amount of sixteen thousand, twenty-five dollars (**\$16,025.00**).

Hazardous Waste Enforcement

- 6) Order Type and Number: Consent Order 13-11-HW
Order Date: December 3, 2013
Respondent: **WeylChem US, Inc.**
Facility: WeylChem US, Inc.
Location: 2114 Larry Jeffers Road
Elgin, SC 29045
Mailing Address: Same
County: Kershaw
Previous Orders: None
Permit/ID Number: SCD 042 627 448
Violations Cited: South Carolina Hazardous Waste
Management Act §44-56-130(2); South Carolina Hazardous Waste
Management Regulation 61.79.262.34(a)(3); R.61-
79.262.34(c)(1)(i)/265.173(a); R.61-79.262.34(c)(1)(ii); R.61-
79.262.34(a)(4)/265.174; R.61-79.262.34(a)(4)/265.15(d); and, R.61-
79.262.34(a)(4)/265.53(b).

Summary: WeylChem US, Inc. (Respondent) manufactures custom specialty chemicals. On July 17, 2012, the Department performed a compliance inspection of the Respondent's facility. The Respondent violated the South Carolina Hazardous Waste Management Regulations as follows: failure to label containers with the EPA Hazardous Waste Number; failure to keep a container of hazardous waste closed except when necessary to add or remove waste; failure to label containers of hazardous waste with the words "Hazardous Waste;" failure to perform and document weekly inspections of containers of hazardous waste in storage; and, failure to submit revisions of the contingency plan to emergency responders.

Action: The Respondent has agreed to: ensure that containers of hazardous waste are managed and inspected in accordance with the regulations; ensure that all revisions of the contingency plan are submitted to emergency responders; and, pay a civil penalty in the amount of eight thousand dollars (**\$8,000.00**).

Solid Waste Enforcement

- 7) Order Type and Number: Administrative Order 13-10-SW
 Order Date: January 8, 2014
 Respondents: **Scott Anthony**
 Facility: Anthony Structural Fill Project
 Location: 163 Anthony Road
 Pickens, SC
 Mailing Address: 169 Anthony Road
 Pickens, SC 29671
 County: Pickens
 Previous Orders: None
 Permit/ID Number: SF-00087
 Violations Cited: South Carolina Solid Waste Policy
 and Management Act of 1991 (Rev. 2002), and, Solid Waste
 Management: Solid Waste Landfills and Structural Fill Regulation 61-
 107.19 (Supp. 2012).

Summary: Scott Anthony (Respondent) operates a short-term structural fill in Pickens, South Carolina. Inspections were conducted on the following dates: July 30, 2012, August 16, 2012, August 20, 2012, October 31, 2012, November 15, 2012, January 9, 2013, January 16, 2013, February 14, 2013, and, June 17, 2013. The Respondent failed to maintain and operate a structural fill in a manner that protects the established water quality standards of the surface waters and ground water; and, failed to seed the finished surface of the filled area with native grasses and maintain into the second growing season a 75% permanent vegetative cover with no substantial bare spots, as required by the regulation. This constitutes a violation of the South Carolina Solid Waste Policy and Management Act of 1991, and, the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation.

Action: The Respondent is required to: seed the surface of the fill area with native grasses or other suitable ground cover to establish and maintain into the second growing season a 75% or greater permanent vegetative cover with no substantial bare spots; record a deed notation that would in perpetuity notify any potential purchaser of the property that a portion of the land had been structurally filled; submit for review and approval, a monitoring plan assessing and conducting any required maintenance to the cover soils, ground cover, and erosion or sediment controls into the second growing season; and, pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

BUREAU OF WATER

Drinking Water Enforcement

8) <u>Order Type and Number:</u>	Consent Order 13-167-DW
<u>Order Date:</u>	December 3, 2013
<u>Respondent:</u>	Villages at Lakeshore Homeowners Association, Inc.
<u>Facility:</u>	Villages at Lakeshore
<u>Location:</u>	438 Freshwater Drive Columbia, SC 29229
<u>Mailing Address:</u>	4910 Trenholm Road Columbia, SC 29206
<u>County:</u>	Richland
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	40-1099B
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Villages at Lakeshore Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 19, 2013, and September 3, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the ladders were missing bumpers and were not tight and secure; the pool deck was not clear of hazards in that the pool furniture was not at least four feet from the edge of the pool; the "No Diving" tile at the shallow end of the pool was broken; the gate did not self close and latch; the cyanuric acid level was above the water quality standards acceptable limit; the United States Coast Guard approved life ring did not have a permanently attached rope; the pool surface was dirty; a bathroom did not have soap or toilet paper; the chlorine level was not within the acceptable range of water quality standards; the emergency telephone was not operational; the pool rules sign was not completely filled out; and, the pool operator of record information was not posted.

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

9) <u>Order Type and Number:</u>	Consent Order 13-168-DW
<u>Order Date:</u>	December 3, 2013
<u>Respondent:</u>	The Village Market of Rock Hill, LLC
<u>Facility:</u>	Village Market

Location: 2185 Neely Store Road
Rock Hill, SC 29730
Mailing Address: Same
County: York
Previous Orders: None
Permit/ID Number: 4670975
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F

Summary: The Village Market of Rock Hill, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On September 20, 2013, and October 18, 2013, a violation was issued as a result of monitoring records received by the Department. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform.

Action: The Respondent is required to: submit an investigative report to determine the causes of the MCL violations and a corrective action plan to include proposed steps to address those causes; and, pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

10) Order Type and Number: Consent Order 13-169-DW
Order Date: December 19, 2013
Respondent: **Tritex Real Estate Advisors, Inc.**
Facility: Hunters Park Apartments
Location: 1201 Cedar Land Road
Greenville, SC 29617
Mailing Address: 577 Mulberry Street, Suite 1100
Macon, GA 31201
County: Greenville
Previous Orders: None
Permit/ID Number: 23-130-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Tritex Real Estate Advisors, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On August 28, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the lifeline with floats was missing; a ladder was missing steps; a skimmer was missing a cover; the gate did not self close and latch; the emergency telephone was not operational; the pool rules sign was not completely filled out; only one "Shallow Water – No Diving Allowed" sign was posted; and, the pool operator of record information was not posted.

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

- 11) Order Type and Number: Consent Order 13-170-DW
Order Date: December 3, 2013
Respondent: **Town Center Inn, LLC**
Facility: Quality Inn at Town Center
Location: 2001 Boundary Street
Beaufort, SC 29902
Mailing Address: 2015 Boundary Street, Suite 300
Beaufort, SC 29902
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-200-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Town Center Inn, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 11, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards; the main drain grates were not visible in that the water was green from algae; and, the bound and numbered log book was not maintained on a daily basis.

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

- 12) Order Type and Number: Consent Order 13-171-DW
Order Date: December 12, 2013
Respondent: **Marsh Island Homeowners' Association**
Facility: Marsh Island
Location: 8 Long Marsh Lane
Hilton Head Island, SC 29928
Mailing Address: 10 Long Marsh Lane
Hilton Head Island, SC 29928
County: Beaufort
Previous Orders: None

Permit/ID Number: 07-359-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Marsh Island Homeowners' Association (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 21, 2013, and July 29, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a ladder was missing bumpers; a skimmer was missing a weir; the chlorine level was not within the acceptable range of water quality standards; the pH level was not within the acceptable range of water quality standards; the pool rules sign was not completely filled out; the pool operator of record information was not posted; and, the bound and numbered log book was not maintained on a daily basis.

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

13) Order Type and Number: Consent Order 13-173-DW
Order Date: December 19, 2013
Respondent: **Stan Brewer, Individually and d.b.a. Bucket-T-Café**
Facility: Bucket-T-Café
Location: 12500 Long Creek Highway
Long Creek, SC 29658
Mailing Address: P.O Box 191
Long Creek, SC 29658
County: Oconee
Previous Orders: None
Permit/ID Number: 3772000
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F

Summary: Stan Brewer, Individually and d.b.a. Bucket-T-Café (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On September 25, 2013, and October 30, 2013, a violation was issued as a result of monitoring records received by the Department. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform.

Action: The Respondent is required to: submit an investigative report to determine the causes of the MCL violations and a corrective action plan to include proposed steps to address those causes; and, pay a **stipulated penalty** in

the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

14) Order Type and Number: Consent Order 13-174-DW
Order Date: December 19, 2013
Respondent: **Johnny Ridley**
Facility: Fat Backs Tavern
Location: 4205 Black Highway
Smyrna, SC 29743
Mailing Address: 1985 Highway 321 North
Clover, SC 29710
County: York
Previous Orders: None
Permit/ID Number: 4672013
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F

Summary: Johnny Ridley (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On September 30, 2013, and October 24, 2013, a violation was issued as a result of monitoring records received by the Department. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform.

Action: The Respondent is required to: submit an investigative report to determine the causes of the MCL violations and a corrective action plan to include proposed steps to address those causes; and, pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

15) Order Type and Number: Consent Order 13-175-DW
Order Date: December 18, 2013
Respondent: **Crossroads Commons Phase 1, LLC**
Facility: Commons at Fort Mill
Location: 221 Embassy Drive
Fort Mill, SC 29715
Mailing Address: Same
County: York
Previous Orders: None
Permit/ID Number: 46-1112B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Crossroads Commons Phase 1, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On August 8,

2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the gate did not self close and latch; the flow meter was not operating properly; the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the emergency notification device was not functional; the pool rules sign was not completely filled out; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; and, the pool operator of record information was not posted.

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

16)	<u>Order Type and Number:</u>	Consent Order 13-176-DW
	<u>Order Date:</u>	December 19, 2013
	<u>Respondent:</u>	RVM, LLC
	<u>Facility:</u>	Ridgeview Manor Apartments
	<u>Location:</u>	419 Bradleyville Road North Augusta, SC 29841
	<u>Mailing Address:</u>	100 Rogers Terrace Aiken, SC 29801
	<u>County:</u>	Aiken
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	02-073-1
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)(22)

Summary: RVM, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On September 20, 2013, Department staff visited the Site and observed that the pool was closed to the public and was not being operated and maintained. A review of the Respondent’s file by Department staff revealed that the pool has been permanently closed for a period in excess of twenty-four consecutive months. The Respondent has violated the Public Swimming Pools Regulation as follows: the pool was permanently closed for a period in excess of twenty-four consecutive months and was not being operated and maintained or abandoned.

Action: The Respondent is required to: upgrade the pool to current standards or properly abandon the pool and pay a **stipulated penalty** in the amount of four hundred dollars (**\$400.00**) should the Respondent fail to meet any requirement of the Order.

17)	<u>Order Type and Number:</u>	Consent Order 13-172-DW
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Order Date: January 8, 2014
Respondent: **Suzanne Harper, Individually and d.b.a. Arrowood Swim and Racquet Club**
Facility: Arrowood Swim and Racquet Club
Location: 803 Arrowood Road
Lancaster, SC 29720
Mailing Address: 1989 Shamrock Avenue
Lancaster, SC 29970
County: Lancaster
Previous Orders: None
Permit/ID Number: 29-024-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Suzanne Harper, Individually and d.b.a. Arrowood Swim and Racquet Club (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 4, 2013, and June 14, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards; the pH level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; and, the bound and numbered log book was not maintained a minimum of three times per week by the pool operator of record.

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

18) Order Type and Number: Consent Order 14-001-DW
Order Date: January 8, 2014
Respondent: **Handsmill Property Owners Association, Inc.**
Facility: Handsmill
Location: 3547 Aqua Point Drive
York, SC 29707
Mailing Address: 2 Office Park Court, Suite 103
Columbia, SC 29223
County: York
Previous Orders: None
Permit/ID Number: 46-1114B and 46-1115C
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Handsmill Property Owners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool and a kiddie pool. On May 28, 2013, and July 12, 2013, the pool and kiddie pool were inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the handrails were not tight and secure; the drinking water fountains were not operating; the chlorine level was not within the acceptable range of water quality standards; the pool rules sign was not completely filled out; the pool operator of record information was not posted; and, the log book was not properly bound.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of one thousand six hundred dollars (**\$1,600.00**). The Respondent submitted a corrective action plan and corrected the deficiencies.

19) <u>Order Type and Number:</u>	Consent Order 14-002-DW
<u>Order Date:</u>	January 8, 2014
<u>Respondent:</u>	H M Brothers, LLC
<u>Facility:</u>	Comfort Inn Motel
<u>Location:</u>	3041 Lancaster Highway Richburg, SC 29729
<u>Mailing Address:</u>	Same
<u>County:</u>	Chester
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	12-011-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: H M Brothers, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 11, 2013, and July 15, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a skimmer basket was broken; the skimmers were not operating properly in that the water level was low; the gate did not self close and latch; the flow meter was not operating properly; the drinking water fountain was not operating properly; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; the chlorine level was not within the acceptable range of water quality standards; the United States Coast Guard approved life ring did not have a permanently attached rope; the bound and numbered log book was not maintained on a daily basis; and, the bound and numbered log book was not maintained a minimum of three times per week by the pool operator of record.

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

20) Order Type and Number: Consent Order 14-003-DW
Order Date: January 8, 2014
Respondent: **The Lake Club Commons Owners’ Association, Inc.**
Facility: Lake Club
Location: 153 Lake Commons Drive
Rock Hill, SC 29732
Mailing Address: 248 Latitude Lane, Suite 201
Lake Wylie, SC 29710
County: York
Previous Orders: None
Permit/ID Number: 46-1007B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: The Lake Club Commons Owners’ Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 18, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the depth marker tiles at the waterline did not have a separate tile indicating feet in four inch lettering; the gate did not self close and latch; the cyanuric acid level was above the water quality standards acceptable limit; the pool rules sign was not completely filled out; only one “Shallow Water – No Diving Allowed” sign was posted; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; the pool operator of record information was not posted; and, the bound and numbered log book was not maintained on a daily basis.

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

21) Order Type and Number: Consent Order 14-004-DW
Order Date: January 8, 2014
Respondent: **Stratford Villa Apartments I, LLC**
Facility: Stratford Villa Apartments
Location: 200 Eunice Drive
Greenville, SC 29617
Mailing Address: P.O. Box 2483
Greenville, SC 29602
County: Greenville
Previous Orders: None
Permit/ID Number: 23-109-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Stratford Villa Apartments I, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 24, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the lifeline with floats was deteriorated; a hand rail was not tight and secure; the chlorine level was not within the acceptable range of water quality standards; and, the pH level was not within the acceptable range of water quality standards.

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

22) <u>Order Type and Number:</u>	Consent Order 14-005-DW
<u>Order Date:</u>	January 8, 2014
<u>Respondent:</u>	Town of Andrews
<u>Facility:</u>	Town of Andrews
<u>Location:</u>	101 North Morgan Avenue Andrews, SC 29510
<u>Mailing Address:</u>	P.O. Box 378 Andrews, SC 29510
<u>County:</u>	Georgetown
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	2210003
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7

Summary: The Town of Andrews (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On October 11, 2013, the PWS was inspected and rated unsatisfactory for failure to properly operate and maintain. The Respondent has violated the State Primary Drinking Water Regulations as follows: the chlorine cylinders were not stored in the proper location; several places in the distribution system were recorded at the minimum pressure for fire flow plus peak hourly flow; several backflow prevention devices had not been tested for 2013; there was no written documentation of the amount of water sold and used; the check valve at the Wire Mill elevated storage tank was inoperable and water was overflowing; Well Two was being pumped twenty-four hours a day, and Well Five was out of service; there was not adequate staffing to properly operate and maintain the PWS; and, the emergency wells were not being exercised on an annual basis.

Action: The Respondent is required to: submit a corrective action plan to include proposed steps to correct the deficiencies; and, pay a **stipulated penalty**

in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

23) Order Type and Number: Consent Order 14-006-DW
Order Date: January 8, 2014
Respondent: **Polo Village II, LLC**
Facility: Polo Village
Location: 1270 Polo Road
Columbia, SC 29223
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: 40-1055B
Violations Cited: S.C. Code Ann. Regs. 61-51(J) &
61-51(K)(1)(c)

Summary: Polo Village II, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 12, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain; and, on August 20, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain and for failure to contact the Department to schedule an inspection prior to re-opening the pool. The Respondent has violated the Public Swimming Pools Regulation as follows: the cyanuric acid level was above the water quality standards acceptable limit; both of the “Shallow Water – No Diving Allowed” signs were defective in that the lettering was not the appropriate size; both of the “No Lifeguard On Duty – Swim At Your Own Risk” signs were defective in that the lettering was not the appropriate size; the chlorine level was not within the acceptable range of water quality standards; the main drain grates were not visible in that the water was cloudy; the pool rules sign was not completely filled out; the current pool operator of record information was not posted; and, the bound and numbered log book was not maintained on a daily basis.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool closed until the deficiencies have been corrected; and, pay a civil penalty in the amount of one thousand two hundred dollars (**\$1,200.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

24) Order Type and Number: Consent Order 14-007-DW
Order Date: January 8, 2014
Respondent: **Greenbriar Limited Partnership**
Facility: Greenbriar Apartments
Location: 1 Nancy Lane

Mailing Address: Aiken, SC 29803
3523 Walton Way Extension
Augusta, GA 30909
County: Aiken
Previous Orders: None
Permit/ID Number: 02-033-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Greenbriar Limited Partnership (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 21, 2013, and August 2, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the fill spout was not secure; the chlorine level was not within the acceptable range of water quality standards; the emergency telephone was not operating properly; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; and, the current pool operator of record information was not posted.

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

25) Order Type and Number: Consent Order 14-008-DW
Order Date: January 8, 2014
Respondent: **Ada Eades, Individually and d.b.a. Eades Water**
Facility: Eades Water
Location: 277 Waterfall Road
Seneca, SC 29672
Mailing Address: Same
County: Oconee
Previous Orders: None
Permit/ID Number: 3770811
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F

Summary: Ada Eades, Individually and d.b.a. Eades Water (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On June 21, 2013, and September 13, 2013, a violation was issued as a result of monitoring records received by the Department. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform.

Action: The Respondent is required to: submit an investigative report to determine the causes of the MCL violations and a corrective action plan (CAP) to include proposed steps to address those causes; and, pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

26) Order Type and Number: Consent Order 14-009-DW
Order Date: January 8, 2014
Respondent: **Saluda County Water and Sewer Authority**
Facility: Saluda County Water and Sewer Authority
Location: 113 East Church Street
Saluda, SC 29138
Mailing Address: Same
County: Saluda
Previous Orders: None
Permit/ID Number: 4120001
Violations Cited: S.C. Code Ann. Regs. 61-58.1.K(1)

Summary: Saluda County Water and Sewer Authority (Respondent) owns and is responsible for the proper construction and operation of a public water system (PWS). On October 21, 2013, an inspection was conducted at the PWS. The Respondent has violated the State Primary Drinking Water Regulations as follows: the Respondent failed to obtain written approval to operate from the Department prior to placing drinking water distribution lines and associated appurtenances into operation.

Action: The Respondent is required to: pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

27) Order Type and Number: Consent Order 14-010-DW
Order Date: January 9, 2014
Respondent: **Island Club Horizontal Property Regime I, Island Club Horizontal Property Regime II, Island Club Horizontal Property Regime III Council of Co-Owners, and Island Club Horizontal Property Regime IV Council of Co-Owners**
Facility: Island Club
Location: 85 Folly Field Road
Hilton Head Island, SC 29928
Mailing Address: Same

County: Beaufort
Previous Orders: None
Permit/ID Number: 07-053-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Island Club Horizontal Property Regime I, Island Club Horizontal Property Regime II, Island Club Horizontal Property Regime III Council of Co-Owners, and Island Club Horizontal Property Regime IV Council of Co-Owners (Respondents) own and are responsible for the proper operation and maintenance of a spa. On June 25, 2013, and July 26, 2013, the spa was inspected and a violation was issued for failure to properly operate and maintain. The Respondents have violated the Public Swimming Pools Regulation as follows: the spa wall was damaged in that the plaster was cracked; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; 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 spa temperature was not being monitored as required; and, the automatic controller was not operating properly.

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

28) Order Type and Number: Consent Order 14-011-DW
Order Date: January 16, 2014
Respondent: **Clinton Holdings, LLC**
Facility: Comfort Suites
Location: 12865 Highway 56
Clinton, SC 29325
Mailing Address: Same
County: Laurens
Previous Orders: None
Permit/ID Number: 30-1007B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Clinton Holdings, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 25, 2013, September 12, 2013, and September 26, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards; and, the cyanuric acid level was above the water quality standards acceptable limit.

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

29) Order Type and Number: Consent Order 14-012-DW
Order Date: January 16, 2014
Respondent: **Forest Hills Swim Club, Inc.**
Facility: Forest Hills
Location: 125 Rock Springs Road
Lancaster, SC 29720
Mailing Address: P.O. Box 55
Lancaster, SC 29721
County: Lancaster
Previous Orders: None
Permit/ID Number: 29-007-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Forest Hills Swim Club, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 4, 2013, and June 14, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a ladder was not tight and secure; a bathroom did not have paper towels; the flow meter was not operating properly; there were no depth marker tiles on the pool deck; the chlorine level was not within the acceptable range of water quality standards; the pool rules sign was not completely filled out; the pool operator of record information was not posted; and, the bound and numbered log book was not maintained on a daily basis.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of six hundred eighty dollars (**\$680.00**).

30) Order Type and Number: Consent Order 14-013-DW
Order Date: January 16, 2014
Respondent: **Town of Williams**
Facility: Town of Williams
Location: Duncan Street
Williams, SC 29493
Mailing Address: P.O. Box 23
Williams, SC 29493
County: Colleton
Previous Orders: None

Permit/ID Number: 1510003
Violations Cited: S.C. Code Ann. Regs. 61-58.7

Summary: The Town of Williams (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On October 31, 2012, the PWS was inspected and rated needs improvement for failure to properly operate and maintain and on October 23, 2013, the PWS was inspected and rated unsatisfactory for failure to properly operate and maintain. The Respondent has violated the State Primary Drinking Water Regulations as follows: there was no leak detection and repair program; the elevated storage tank had not been inspected as required; and, the elevated storage tank vent screen was rusted and had holes.

Action: The Respondent is required to: develop a leak detection and repair program; have the elevated storage tank inspected and submit the inspection report to the Department for review; submit a corrective action plan and schedule for the completion of the tank inspection report recommendations; and, pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

31) Order Type and Number: Consent Order 14-014-DW
Order Date: January 16, 2014
Respondent: **Hilton Head Hotel Group, L.L.C.**
Facility: Quality Inn
Location: 200 Museum Street
Hilton Head Island, SC 29926
Mailing Address: 55 East Jackson Boulevard
Chicago, IL 60604
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-375-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Hilton Head Hotel Group, L.L.C. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On May 29, 2013, and June 2, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a gate did not self close and latch; the chlorine level was not within the acceptable range of water quality standards; the pH level was not within the acceptable range of water quality standards; the water was cloudy; and, the main drain grates were not in place in that one of the drain covers was missing. A follow up inspection was conducted and it was verified that all of the deficiencies have been addressed.

Action: The Respondent is required to: pay a civil penalty in the amount of eight hundred dollars (**\$800.00**).

32) Order Type and Number: Consent Order 14-015-DW
Order Date: January 23, 2014
Respondent: **Balaji, LLC**
Facility: Comfort Suites
Location: 131 Big John Road
Beaufort, SC 29902
Mailing Address: 17 Bostick Circle
Beaufort, SC 29902
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-1109B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Balaji, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On February 5, 2013, June 7, 2013, and November 5, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards; the pH level was not within the acceptable range of water quality standards; and, the cyanuric acid level was above the water quality standards acceptable limit.

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

33) Order Type and Number: Consent Order 14-016-DW
Order Date: January 23, 2014
Respondent: **Berkeley Hall Club, Inc.**
Facility: Berkeley Hall Club
Location: 366 Good Hope Road
Bluffton, SC 29909
Mailing Address: Same
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-1040D
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Berkeley Hall Club, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a spa. On February 11, 2013, June 4, 2013, August 8, 2013, and November 13, 2013, the spa was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a handrail was not tight and secure; the chlorine level was not within the acceptable range of water

quality standards; the pH level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; and, the bound and numbered log book was not maintained on a daily basis.

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

34) Order Type and Number: Consent Order 14-017-DW
Order Date: January 23, 2014
Respondent: **Providence Presbytery, Inc.**
Facility: Bethelwoods Center
Location: 922 West Mt. Gallant Road
York, SC 29745
Mailing Address: 515 Oakland Avenue
Rock Hill, SC 29730
County: York
Previous Orders: None
Permit/ID Number: 4670900
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F

Summary: Providence Presbytery, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On October 18, 2013, and November 15, 2013, a violation was issued as a result of monitoring records received by the Department. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform.

Action: The Respondent is required to: submit an investigative report to determine the causes of the MCL violations and a corrective action plan to include proposed steps to address those causes; and, pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

Water Pollution Enforcement

35) Order Type and Number: Consent Order 13-043-W
Order Date: December 12, 2013
Respondent: **Fairways Development, LLC,
John T. Bakhaus, Registered
Agent**
Facility: Lake Windemere/Columbia Dam

Location: Longtown Road East
Blythewood, SC 29016
Mailing Address: P.O. Box 290730
Columbia, SC 29229
County: Richland
Previous Order(s): None
Permit Number: D 0549
Violation(s) Cited: Dams and Reservoirs Safety Act,
S.C. Code Ann. § 49-11-50 (2008) and Dams and Reservoirs Safety Act
Regulations, 9 S.C. Code Ann. Regs. 72-4.C.3 (2012)

Summary: Fairways Development, LLC, John T. Bakhaus, Registered Agent (Respondent) owns and is responsible for the dam and reservoir that constitute Lake Windemere/Columbia, located on Longtown Road near the town of Blythewood, SC. On March 29, 2013, Department staff conducted a preliminary inspection of the site and found the dam and its outlet structures to be in poor condition. Subsequent inspections were conducted on April 26, 2013, and May 17, 2013, and those inspections found the conditions at the site to be unchanged. The Respondent violated the SC Dams and Reservoirs Safety Act and Regulations as follows: debris covering the flow area of the trash rack; brush, trees and other deleterious vegetation growing on the dam's embankment; seepage emerging along the embankment face; blocked seepage drains; damaged riprap armor along the reservoir shoreline; evidence of burrowing animals along the upstream face of the dam; and, a manhole cover missing and debris filling the manhole.

Action: The Respondent is required to: begin lowering the water in the reservoir within 30 days of the execution date of the order; notify the Department when the water level has been lowered so that the front slope of the dam may be further evaluated; maintain the water level at a safe level until a Certification of Maintenance and Operation is issued by the Department; file an application for a permit for repairs; complete all repairs and/or modifications within 60 days of the issuance of a permit; and, pay a civil penalty one thousand dollars (**\$1,000.00**).

36) Order Type and Number: Consent Order 14-001-W
Order Date: January 8, 2014
Respondent: **SCE&G**
Facility: V.C. Summer Nuclear Station
Location: Hwy 215
Jenksville, SC 29065
Mailing Address: P.O. Box 88
Jenksville, SC 29065
County: Fairfield
Previous Orders: None
Permit/ID Number: SC0030856

Violations Cited: S.C. Code Ann. § 48-1-110(d) (2008); S.C. Reg. 61-9.122.41 (a)(1) and (d) (2011)

Summary: South Carolina Electric and Gas Company (SCE&G) (Respondent) owns and is responsible for the proper operation and maintenance of the wastewater treatment facility (WWTF) serving the V.C. Summer Nuclear Station, in Fairfield County, South Carolina. On May 24, 2013, a Notice of Violation (NOV) was issued as a result of monitoring records received by the Department. On September 20, 2013, a Notice of Alleged Violation/Notice of Enforcement Conference was issued. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent limits for biochemical oxygen demand as contained in its National Pollutant Discharge Elimination System (NPDES) Permit.

Action: The Respondent is required to: submit a corrective action plan to include measures that have been implemented, or that will be implemented, to prevent future effluent violations; and, pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

BUREAU OF AIR QUALITY

37) Order Type and Number: Consent Order 14-001-A /13-07-SW
Order Date: January 9, 2014
Respondent: **Thompson Building Wrecking Company, Inc.**
Facility: Recovered Materials Processing Facility
Location: 30 Storm Branch Road
Beech Island, SC
Mailing Address: 631 Eleventh Street
Augusta, GA 30903
County: Aiken
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: 7 South Carolina Code Ann. Regs. 61-86.1, Standards of Performance for Asbestos Projects and South Carolina Solid Waste Policy and Management Act of 1991 (Rev. 2002); and, the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation 61-107.19 (Supp. 2012).

Summary: Thompson Building Wrecking Company, Inc. (Respondent) owns and operates a recovered materials processing facility, located in Beech Island, South Carolina (Site). Inspections were conducted August 28, 2012 and September 24, 2012. The Department discovered potential violations and issued a

Notice of Alleged Violation on February 14, 2013. The Respondent violated South Carolina Standards of Performance for Asbestos Projects as follows: failed to ensure that asbestos waste is disposed of at a landfill approved or permitted to accept asbestos waste; failed to ensure that asbestos waste was transported and disposed of in a manner that will not permit the release of asbestos fibers into the air; failed to maintain asbestos waste in a secured, locked location where access is controlled; and, failed to ensure that asbestos waste is transported directly to an approved landfill. The Respondent violated South Carolina Solid Waste Policy and Management Act of 1991, and the Solid Waste Landfills and Structural Fill Regulation as follows: failed to obtain a permit for structural fill activities; and, failed to meet the 75% recycling rate required by the South Carolina Solid Waste Policy and Management Act of 1991 for recovered materials processing facilities.

Action: The Respondent is required to: apply a minimum two (2) foot thick final earth cover to the side slopes and grade to promote positive drainage; seed the finished surface of the filled area with native grasses or other suitable ground cover to establish and maintain into the second growing season a 75% or greater permanent vegetative cover with no substantial bare spots; record with the appropriate Register of Deeds a notation in the record of ownership of the property that will in perpetuity notify any potential purchaser of the property that the land or a portion thereof has been structurally filled with detail of specific items used for filling; and, pay a civil penalty in the amount of twelve thousand dollars (**\$12,000.00**). Seven thousand dollars (\$7,000.00) of the penalty amount has been assessed as a result of air quality violations and five thousand dollars (\$5,000.00) of the penalty amount has been assessed as a result of solid waste violations.

38) <u>Order Type and Number:</u>	Consent Order 14-002-A
<u>Order Date:</u>	January 8, 2014
<u>Respondent:</u>	City of Rock Hill
<u>Facility:</u>	Former Commercial Property
<u>Location:</u>	1013 Main St. East Rock Hill, S.C. 29731
<u>Mailing Address:</u>	P.O. Box 11706 Rock Hill, S.C. 29731
<u>County:</u>	York
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	N/A
<u>Violations Cited:</u>	U.S. EPA 40 CFR 61.145 and 7
	South Carolina Code Ann. Regs.61-86.1, Standards of Performance for Asbestos Projects

Summary: The City of Rock Hill (Respondent) demolished a commercial structure located at 1013 Main St. East in Rock Hill, South Carolina (“site”). On

April 24, 2013, the Respondent informed the Department of potential violations related to the demolition operation at the site and a Notice of Alleged Violation was issued on September 25, 2013. The Respondent violated U.S. EPA and South Carolina Standards of performance for Asbestos Projects as follows: failed to ensure that an asbestos building inspection was performed; and failed to submit a written notice of intent to demolish; failed to obtain a Department-issued demolition license; and, failed to pay the applicable license fee.

Action: The Respondent is required to: henceforth comply with all applicable requirements of federal and state asbestos regulations; henceforth ensure that a thorough building inspection is performed in accordance with the regulations; henceforth submit all applicable notifications and obtain the proper permits from the Department; submit a demolition license application and project license fee in the amount of fifty dollars (\$50.00) for the demolition activity that occurred at the site; and, pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

39) <u>Order Type and Number:</u>	Consent Order 14-003-A
<u>Order Date:</u>	January 8, 2014
<u>Respondent:</u>	Southeastern Fiberglass Products, Inc.
<u>Facility:</u>	Southeastern Fiberglass Products, Inc.
<u>Location:</u>	51 Sweet Pea Road Bamberg, SC 29003
<u>Mailing Address:</u>	Same
<u>County:</u>	Bamberg
<u>Previous Orders:</u>	12-041-A (\$12,000.00)
<u>Permit/ID Number:</u>	0260-0024
<u>Violations Cited:</u>	U.S. EPA 40 CFR 70.6(c) and 5 S.C. Code Ann. Regs. 61-62.70.6(c), and 5 S.C. Code Ann. Regs. 61-62.1, Section II, Permit Requirements

Summary: Southeastern Fiberglass Products, Inc. (Respondent) manufactures custom-engineered fiberglass reinforced plastic equipment for various applications at its facility in Bamberg, South Carolina. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-0260-0024 to the Respondent, effective April 1, 2009. On May 8, 2013, during a review of Department records, the Department discovered potential reporting violations and issued a Notice of Alleged Violation on September 30, 2013. The Respondent violated South Carolina Air Pollution Control Regulations and its Permit as follows: failed to submit to the EPA and to the Department a timely and accurate TVACC for the reporting period ending December 31, 2012; failed to submit a timely semi-annual report of visual inspections for Unit IDs I, II, and III, failed to

submit a timely semi-annual emissions report; and, failed to submit a timely semi-annual Subpart WWWW compliance report

Action: The Respondent is required to: submit all applicable periodic reports no later than thirty (30) days following the end of each reporting period and/or in accordance with the schedule and conditions established in the Title V Permit and pay a civil penalty in the amount of nine thousand dollars (**\$9,000.00**).

40) Order Type and Number: Consent Order 14-004-A
Order Date: January 8, 2014
Respondent: **Salley Pallet Repairing and Recycling Co., LLC**
Facility: Salley Pallet Repairing and Recycling Co., LLC
Location: 4301 Salley Road
Salley, SC 29137
Mailing Address: Same
County: Aiken
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: 5 S.C. Code Ann. Regs. 61-62.2
(Supp. 2012), Prohibition of Open Burning

Summary: Salley Pallet Repairing and Recycling Co., LLC (Respondent) repairs and recycles wooden pallets at its facility located at 4301 Salley Road in Salley, South Carolina (Site). On December 4, 2012, the Department conducted investigations in response to a complaint of open burning at the Site and a Notice of Alleged Violation was issued on June 18, 2013. The Respondent violated South Carolina Air Pollution Control Regulations as follows: burned materials prohibited by the Regulation.

Action: The Respondent is required to: cease open burning, except as in accordance with the regulations; pay a civil penalty in the amount of one thousand five hundred (**\$1,500.00**); and, pay a suspended penalty in the amount of three thousand five hundred dollars (\$3,500.00) should the Respondent fail to meet any requirement of the Order.

41) Order Type and Number: Consent Order 14-005-A
Order Date: January 8, 2014
Respondent: **Domtar Paper Company, LLC**
Facility: Domtar Paper Company, LLC
Location: 585 Williamette Road
Bennettsville, SC 29512
Mailing Address: P.O. Box 678

Bennettsville, SC 29512
County: Marlboro
Previous Orders: None
Permit/ID Number: 1680-0043
Violations Cited: U.S. EPA 40 CFR 63.453(o), S.C.
Code Ann. Regs. 61-62.1, Section II, Permit Requirements, and 5 S.C.
Code Ann. Regs. 61-62.63, Subpart S

Summary: Domtar Paper Company, LLC (Respondent) owns and operates an integrated Kraft pulp and paper mill located in Bennettsville, South Carolina. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-1680-0043 to the Respondent, effective April 1, 2003. On November 2, 2012, the Department reviewed a semiannual report submitted by the Respondent and discovered a potential emission violation and a Notice of Alleged Violation was issued on August 30, 2013. The Respondent violated South Carolina Air Pollution Control Regulations and the Permit as follows: failed to demonstrate continuous compliance with each operating parameter requirement, specifically, the Oxidation Reduction Potential (ORP) operating parameter.

Action: The Respondent is required to: ensure continuous compliance with the ORP operating parameter, in accordance with the requirements of Subpart S and its Title V Permit; and, pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**).

42) Order Type and Number: Consent Order 14-006-A
Order Date: January 8, 2014
Respondent: **Mr. Aurelio Perez d.b.a. 3C
Inspection**
Facility: Former Sevens Products Plus
Manufacturing Building
Location: 1105 Stephens St.
Anderson, SC 29625
Mailing Address: 1816 Baughman Rd.
Lugoff, SC 29078
County: Anderson
Previous Orders: 09-039-A (\$8,800.00)
Permit/ID Number: CO-00075
Violations Cited: U.S. EPA 40 CFR 61.145 and 7 S.C.
Code Ann. Regs. 61-86.1, Sections VIII, XV and XVII

Summary: Mr. Aurelio Perez d.b.a. 3C Inspection (Respondent) is a Department-licensed asbestos abatement contractor who engaged in a regulated asbestos project at the former Sevens Products Plus building located at 1105 Stephens St. in Anderson, South Carolina (Site). On December 7 and December 12, 2012, the Department conducted an inspection at the Site and observed several

work practice violations. A Notice of Alleged Violation was issued on July 11, 2013. The Respondent violated U.S. EPA and South Carolina Standards of Performance for Asbestos Projects as follows: failed to submit a written notice of intent to renovate to the Department at least 10 working days prior to beginning a major outdoor asbestos project; and, failed to ensure that the required work practice and air monitoring requirements were adhered to while engaged in a major asbestos project.

Action: The Respondent is required to: henceforth comply with all applicable requirements of state and federal asbestos regulations; henceforth ensure that applicable notifications are submitted to the Department; ensure that all applicable work practice requirements are followed during future asbestos projects; and, pay a civil penalty in the amount of nine thousand dollars (**\$9,000.00**) payable in three bimonthly payments of three thousand dollars (\$3,000.00) each.

43) <u>Order Type and Number:</u>	Consent Order 14-007-A
<u>Order Date:</u>	January 16, 2014
<u>Respondent:</u>	United Contractors, LLC
<u>Facility:</u>	Road and Bridge Construction Site
<u>Location:</u>	459 Gist Road Buffalo, SC 29321
<u>Mailing Address:</u>	P.O. Box 268 Great Falls, SC 29055
<u>County:</u>	Union
<u>Previous Orders:</u>	11-006-A (\$4,000.00)
<u>Permit/ID Number:</u>	N/A
<u>Violations Cited:</u>	5 S.C. Code Ann. Regs. 61-62.2,

Summary: United Contractors, LLC (Respondent) owns and operates a company that specializes in construction of bridges and roadways. On January 11 and January 14, 2013, the Department conducted investigations in response to a complaint of open burning and a Notice of Alleged Violation was issued on January 31, 2013. The Respondent violated South Carolina Air Pollution Control Regulations as follows: burned vegetative debris within 1,000 feet of a public roadway and a residential site.

Action: The Respondent is required to: cease open burning except as in compliance with the State Open Burning Regulations and pay a civil penalty in the amount of six thousand dollars (**\$6,000.00**).

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

- 44) Order Type and Number: Consent Order #2013-206-06-013
Order Date: January 08, 2014
Respondent: **Sam Georgeakopoulos**
Facility: Sam's Place
Location: 116 Highway 17 South
North Myrtle Beach, SC 29582
Mailing address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-206-10056
Violations Cited: S.C. Code Ann. Regs. 61-25, Ch.2,
Sec. B.1.

Summary: Sam Georgeakopoulos (Respondent) owns and operates Sam's Place Restaurant located in North Myrtle Beach, South Carolina. On June 24, 2013, and October 16, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: improper holding temperatures of potentially hazardous foods.

Action: The Respondent is required to: establish methods to properly monitor holding temperatures of potentially hazardous foods during hours of operation and pay a civil penalty in the amount of seven hundred fifty dollars (\$750.00).

- 45) Order Type and Number: Consent Order #2013-206-06-010
Order Date: January 08, 2014
Respondent: **Andrea Johnson**
Facility: Aunny's
Location: 926 Front Street
Georgetown, SC 29440
Mailing Address: Same
County: Georgetown
Previous Orders: None
Permit/ID Number: 22-206-06049
Violations Cited: S.C. Code Ann. Regs. 61-25, Ch.2,
Sec. B.1.

Summary: Andrea Johnson (Respondent) owns and operates Aunny's Restaurant located in Georgetown, South Carolina. On June 05, 2013, and October 17, 2013 the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to separate different types of raw animal products, such as beef, fish, lamb,

pork, or poultry during storage, processing, and display by use of different containers, partitions, shelves, or by cleaning and sanitizing the equipment between product uses.

Action: The Respondent is required to: maintain National Restaurant Association ServSafe Manager certification; establish methods to properly thaw different species of raw animal product in individual pans; and, pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

46) Order Type and Number: Consent Order #2013-206-06-003
Order Date: January 09, 2014
Respondent: **Michael Tomko**
Facility: Ultimate California Pizza
Location: 4003 Deville Street
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-206-10705
Violations Cited: S.C. Code Ann. Regs. 61-25, Ch.2.
Sec. B.1.

Summary: Michael Tomko (Respondent) operates Ultimate California Pizza Restaurant located in Myrtle Beach, South Carolina. On October 29, 2013, March 18, 2013, and September 17, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: improper holding temperatures of potentially hazardous foods.

Action: The Respondent is required to: establish methods to properly monitor holding temperatures of potentially hazardous foods during hours of operation and pay a civil penalty in the amount of one thousand, one hundred twenty-five dollars (**\$1,125.00**).

47) Order Type and Number: Consent Order #2013-206-05-002
Order Date: January 08, 2014
Respondent: **Tracey Gleaton**
Facility: Waffle House #579
Location: 3695 Saint Matthews Road
Orangeburg, SC 29115
Mailing Address: Same
County: Orangeburg
Previous Orders: None
Permit/ID Number: 38-206-01038

Violations Cited:
Sec. B.1.

S.C. Code Ann. Regs. 61-25, Ch.2.

Summary: Tracey Gleaton (Respondent) operates Waffle House #579 Restaurant located in Orangeburg, South Carolina. On July 12, 2013, and October 15, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: improper holding temperatures of potentially hazardous foods.

Action: The Respondent is required to: establish a structured monitoring procedure to check hot holding temperatures and cold holding temperatures every four (4) hours, documenting on the Waffle House Corporate Production Ready Checklist; immediately dispose of foods that are found to be out of required temperature; and, pay a civil penalty in the amount of one thousand, one hundred twenty-five dollars (**\$1,125.00**).

48) Order Type and Number: Consent Order #2013-206-06-011
Order Date: January 09, 2014
Respondent: **Patrick Ingram**
Facility: Applebee's #712
Location: 1571 Highway 17 North
North Myrtle Beach, SC 29582
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-206-11804
Violations Cited: S.C. Code Ann. Regs. 61-25, Ch.2,
Sec. B.1.

Summary: Patrick Ingram (Respondent) operates Applebee's #712 Restaurant located in North Myrtle Beach, South Carolina. On June 10, 2013, and October 18, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: improper holding temperatures of potentially hazardous foods.

Action: The Respondent is required to: establish methods to properly monitor holding temperatures of potentially hazardous foods during hours of operation and pay a civil penalty in the amount of three hundred seventy-five dollars (**\$375.00**).

49) Order Type and Number: Consent Order #2013-206-05-001
Order Date: January 09, 2014
Respondent: **Tomeco Perry**
Facility: Denmark-Olar High School

Location: 62 Holly Avenue
Denmark, SC 29042
Mailing Address: Same
County: Orangeburg
Previous Orders: None
Permit/ID Number: 05-206-01003
Violations Cited: S.C. Code Ann. Regs.61-25, Ch.6,
Sec. G.1.

Summary: Tomeco Perry (Respondent) operates Denmark-Olar High School Cafeteria located in Orangeburg, South Carolina. On September 25, 2013 the Department conducted routine inspection. On October 01, 2013, and October 10, 2013 the Department conducted follow-up inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: the presence of rodents, flies, cockroaches, and other insects on the premises were not effectively controlled.

Action: The Respondent is required to: move the dumpster from within close proximity of the facility; make repairs to all possible access points in the walls of the facility; and, clean all rodent droppings.

50) Order Type and Number: Consent Order #2013-206-06-002
Order Date: January 08, 2014
Respondent: **James Thurber**
Facility: Liberty Steakhouse & Brewery
Location: 1312 Celebrity Circle, F.
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-206-06941
Violations Cited: S.C. Code Ann. Regs.61-25, Ch.2,
Sec. B.1.

Summary: James Thurber (Respondent) operates Liberty Steakhouse & Brewery Restaurant located in Myrtle Beach, South Carolina. On October 16, 2013, May 14, 2013, and July 08, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: improper holding temperatures of potentially hazardous foods.

Action: The Respondent is required to: maintain daily temperature logs of all refrigerated equipment three times per day; establish methods to properly monitor holding temperatures of potentially hazardous foods during hours of

operation; and, pay a civil penalty in the amount of seven hundred fifty dollars (\$750.00).

51) Order Type and Number: Consent Order #2013-206-06-06
Order Date: January 09, 2014
Respondent: **Kim Williams**
Facility: Island Resort Co. DBA Window's
Location: 9550 Shore Drive
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-206-09633
Violations Cited: S.C. Code Ann. Regs.61-25, Ch.5.,
Sec. A.4.a.

Summary: Kim Williams (Respondent) operates Window's Restaurant located in Myrtle Beach, South Carolina. On June 26, 2013, and October 17, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: the warewashing machine did not provide effective bactericidal treatment as demonstrated by an average plate count per utensil surface examined of no more than 100 colonies.

Action: The Respondent is required to: establish methods to properly monitor the warewashing machine bactericidal treatment during hours of operation and pay a civil penalty in the amount of seven hundred fifty dollars (\$750.00).

52) Order Type and Number: Consent Order #2013-206-06-015
Order Date: January 08, 2014
Respondent: **Jennifer Gonska**
Facility: Surfside Jenny's
Location: 1013 Glens Bay Road
Surfside Beach, SC 29575
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-206-08782
Violations Cited: S.C. Code Ann. Regs. 61-25, Ch.2,
Sec. B.1.

Summary: Jennifer Gonska (Respondent) owns and operates Surfside Jenny's Restaurant located in Surfside Beach, South Carolina. On August 06,

2013, and October 15, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: improper holding temperatures of potentially hazardous foods.

Action: The Respondent is required to: perform repairs to walk-in cooler; establish methods to properly monitor holding temperatures of potentially hazardous foods during hours of operation; and, pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

53) Order Type and Number: Consent Order #2013-206-06-012
Order Date: January 09, 2014
Respondent: **Wil Gengler**
Facility: Giant Crab
Location: 9597 North Kings Highway
Myrtle Beach, SC 29572
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-206-08491
Violations Cited: S.C. Code Ann. Regs. 61-25, Ch.2,
Sec. B.1.

Summary: Wil Gengler (Respondent) operates Giant Crab Restaurant located in Myrtle Beach, South Carolina. On June 11, 2013, and October 16, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: improper holding temperatures of potentially hazardous foods.

Action: The Respondent is required to: perform repairs to walk-in cooler; establish methods to properly monitor holding temperatures of potentially hazardous foods during hours of operation; and, pay a civil penalty in the amount of three hundred seventy-five dollars (**\$375.00**).

54) Order Type and Number: Consent Order #2013-206-05-003
Order Date: January 08, 2014
Respondent: **Frank Waters, Jr.**
Facility: Piggly Wiggly #015
Location: 1645 Russell Street
Orangeburg, SC 29115
Mailing Address: Same
County: Orangeburg
Previous Orders: None
Permit/ID Number: 38-206-00170

Violations Cited: S.C. Code Ann. Regs. 61-25, Ch.2,
Sec. B.1.; S.C. Code Ann. Regs. 61-25, Ch.6, Sec. G.1.

Summary: Frank Waters, Jr. (Respondent) owns and operates the Piggly Wiggly #015 grocery store located in Orangeburg, South Carolina. On April 18, 2013, and November 05, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: improper holding temperatures of potentially hazardous foods and the presence of rodents on the premises were not effectively controlled.

Action: The Respondent is required to: establish methods to properly monitor holding temperatures of potentially hazardous foods during hours of operation; effectively control the presence of rodents; and, pay a civil penalty in the amount of one thousand, five hundred dollars (**\$1,500.00**).

DIVISION OF OCEAN AND COASTAL RESOURCE MANAGEMENT

55) Order Type and Number: Consent Order 13C-008P
Order Date: January 21, 2014
Respondent(s): **James A. Smalls Sr. and Annette B. Smalls**
Location: 810 Burger St.
Charleston, SC 29407
Mailing Address: 945 Sycamore Ave.
Charleston, SC 29407
County: Charleston
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. §48-39-130(A) and
23A S.C. Code Ann. Regs. 30-2(B). 23A S.C. Code Ann. Regs. 30-
12(G)(2)(a).

Summary: James A. and Annette B. Smalls (Respondents) are the owners of certain property abutting the tidelands critical area. On March 20, 2013, an inspection was conducted at the site and a Notice of Violation and Admission Letter was issued on September 26, 2013. The Respondents have violated the Coastal Zone Management Act and Critical Area Permitting Regulations by constructing an unauthorized rip-rap revetment as well as the placing fill material in the tidelands critical area regulated by the Department.

Action: The Respondents are required to: remove the rip-rap revetment and associated fill material from the tidelands critical area; and, pay a **stipulated**

penalty in the amount of two thousand dollars (**\$2,000.00**) should the Respondent failed to meet any requirement of the Order.

56) Order Type and Number: Consent Order 12C-003P
Order Date: January 21, 2014
Respondent(s): **Edward H. Yarborough III and Gail J. Yarborough**
Location: 1583 E. Ashley Ave.
Folly Beach, SC 29439
Mailing Address: 153 E. Main St.
Spartanburg, SC 29306
County: Charleston
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: S.C. Code Ann. §48-39-130(A) and 23A S.C. Code Ann. Regs. 30-2(B), S.C. Code Ann. §48-39-290(B)(2)(A) and 23A S.C. Code Ann. Regs. 30-13(N)(3)(a)

Summary: Edward H. and Gail J. Yarborough (Respondents) are the owners of certain property abutting the beaches critical area. On November 20, 2012, an inspection was conducted at the site and a Notice of Violation and Admission Letter was issued on November 30, 2012. The Respondents have violated the Coastal Zone Management Act and Critical Area Permitting Regulations by constructing an unauthorized seawall and a rip-rap revetment as well as placing fill material seaward of the baseline in the beaches critical area regulated by the Department.

Action: The Respondents are required to: remove the seawall, rip-rap revetment and associated fill material from their location seaward of the baseline and in the beaches critical area; and, pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**).

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