

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
May 7, 2015**

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Administrative Order 14-01886-UST
Order Date: March 9, 2015
Individual/Entity: **Nirav One, LLC**
Facility: Jigu One, LLC
Location: 210 Dorange Road
Branchville, SC 29432
Mailing Address: Same
County: Orangeburg
Previous Orders*: AO 13-0396-UST (\$1,605.00)
Permit/ID Number: 07023
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and Supp. 2013) and the South Carolina Underground Storage Tank Control Regulation 61-92.280.31(a), R. 61-92.280.34(c), R. 61-92.280.35(c), R. 61-92.280.40(a), R. 61-92.280.41(b)(1)(ii), R. 61-92.280.43(d), R. 61-92.280.44(a), and R. 61-92.280.45(b)(1) (2012).

Summary: Nirav One, LLC (Individual/Entity) owns and operates underground storage tanks (USTs) in Orangeburg County, South Carolina. A routine compliance inspection was conducted on August 20, 2014. The Individual/Entity has violated the South Carolina Underground Storage Tank Control Regulations as follows: failed to maintain and operate the corrosion protection system; failed to provide records to the Department upon request; failure to have a trained Class A/B operator for the facility; failed to provide an adequate release detection method; failed to conduct an annual tightness test on pressurized lines; failed to conduct adequate release detection using an automatic tank gauge; failed to conduct an annual test of automatic line leak detectors; and, failed to maintain monitoring records for one year.

Action: The Individual/Entity is required to provide the following: tank tightness test results for the regular unleaded and diesel USTs; line tightness and line leak detector test results for the regular unleaded and diesel USTs; proof of a trained Class AB operator; proof that soil has been removed from the regular unleaded and diesel STP pits; and, pay a civil penalty in the amount of eight thousand, six hundred fifty dollars (**\$8,650.00**).

2) Order Type and Number: Consent Order 14-0004-UST
Order Date: March 19, 2015
Individual/Entity: **Wallace Coleman**
Facility: Fort Mill Automotive
Location: 314 White Street
Fort Mill, SC 29715
Mailing Address: Same
County: York
Previous Orders: None
Permit/ID Number: 18378
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and
Supp. 2013), and the South Carolina Underground Storage Tank Control
Regulation 61-92.280.71(a) and 280.72(a) (Supp. 2012).

Summary: Wallace Coleman (Individual/Entity) owned and operated underground storage tanks (USTs) located in Fort Mill, South Carolina. On November 21, 2014, a Notice of Alleged Violation was issued because Mr. Coleman removed the USTs from the ground without first notifying the Department; and, Mr. Coleman did not submit a UST Closure and Assessment Report. Mr. Coleman has violated the South Carolina Underground Storage Tank Control Regulation as follows: failure to notify the Department of the intent to permanently close the USTs within at least 30 days before beginning permanent closure of the USTs; and, failure to measure for the presence of a release where contamination is most likely to be present at the UST site before permanent closure of the USTs.

Action: The Individual/Entity is required to: submit an UST Closure and Assessment Report; pay a civil penalty in the amount of three hundred dollars (**\$300.00**); and, pay a stipulated penalty in the amount of one thousand, two hundred dollars (\$1,200.00) should any requirement of the Order not be met.

3) Order Type and Number: Consent Order 14-0241-UST
Order Date: March 3, 2015
Individual/Entity: **Mohamed Youssef, Individually,
and U.S. Super Saver, Inc.**
Facility: Convenient Express
Location: 1651 Red Bank Road
Goose Creek, SC 29445-4589
Mailing Address: Same
County: Berkeley
Previous Orders: None
Permit/ID Number: 14588

Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and Supp. 2013), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.31(b) (Supp. 2012).

Summary: Mohamed Youssef (Individuals/Entities) owns and U.S. Super Saver, Inc. (Individuals/Entities) operates underground storage tanks (USTs) located in Goose Creek, South Carolina. On August 28, 2014, a routine compliance inspection was conducted. The Individuals/Entities have violated the South Carolina Underground Storage Tank Control Regulation as follows: failure to have the corrosion protection system inspected by a qualified tester every three years.

Action: The Individuals/Entities are required to: submit current corrosion protection system test results and pay a **stipulated penalty** in the amount of six hundred twenty-five dollars (**\$625.00**) should any requirement of the Order not be met.

- 4) Order Type and Number: Consent Order 15-0007-UST
Order Date: March 3, 2015
Individual/Entity: **Allan Weiss and Kevan Davis**
Facility: Blacks Landing
Location: 1370 Blacks Camp Road
Cross, SC 29436
Mailing Address: Same
County: Berkeley
Previous Orders: None
Permit/ID Number: 14173
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and Supp. 2013), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.44(a) (Supp. 2012).

Summary: Allan Weiss and Kevan Davis (Individuals/Entities) own and operate underground storage tanks (USTs) located in Cross, South Carolina. On November 21, 2014, a routine compliance inspection was conducted. The Individuals/Entities have violated the South Carolina Underground Storage Tank Control Regulation as follows: failed to conduct an annual test of automatic line leak detectors.

Action: The Individuals/Entities are required to: submit current line leak detector test results and pay a civil penalty in the amount of four hundred thirty dollars (**\$430.00**).

Hazardous Waste Enforcement

- 5) Order Type and Number: Consent Order 15-08-HW
 Order Date: March 19, 2015
 Individual/Entity: **Liquid Vacserve LLC**
 Facility: Same
 Location: P.O. Box 201
 Port Neches, TX 77651

 Mailing Address: Same
 County: Out of State
 Previous Orders: None
 Permit/ID Number: TXR000080499
 Violations Cited: The South Carolina Hazardous
 Waste Management Act §44-56-130(2); the South Carolina Hazardous
 Waste Management Regulations R.61-79.263.13; 263.10(g); 270.1(c)

Summary: Liquid Vacserve, LLC (Individual/Entity) is an out-of-state hazardous waste transporter. A violation was issued as a result of a file review October 29, 2014. The Individual/Entity has violated the Hazardous Waste Management Regulations as a transporter of a hazardous waste as follows: failed to notify the Department of hazardous waste transportation activity within the State of South Carolina during the 3rd and 4th Quarter 2013 and 1st and 3rd Quarters of 2014.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of three hundred dollars (**\$300.00**).

- 6) Order Type and Number: Consent Order 15-13-HW
 Order Date: March 19, 2015
 Individual/Entity: **United States Army Training
 Center and Fort Jackson**

 Facility: Same
 Location: 4325 Jackson Blvd
 Fort Jackson, SC 29207

 Mailing Address: Same
 County: Richland
 Previous Orders: None
 Permit/ID Number: SC3210020449
 Violations Cited: The South Carolina Hazardous
 Waste Management Act §44-56-130(2); the South Carolina Hazardous
 Waste Management Regulations R.61-79.262.34(a)(1)(i), 262.34(a)(3),
 262.34(a)(4), 262.41(a)(5), 262.41(a)(6), 262.41(b), 265.171, 265.174(a),
 265(174), and 273.14(a)

Summary: The United State Army Training Center and Fort Jackson (Individual/Entity) is a large quantity generator of hazardous waste and a small quantity handler of universal waste. On June 18, 2014, the Department conducted a compliance evaluation inspection. The Individual/Entity has violated the South Carolina Hazard Waste Management Regulations and the South Carolina Hazardous Waste Management Act as follows: containers of hazardous waste and used lead-acid batteries were not properly labeled; containers were not labeled with an accumulation start date; weekly inspection logs were not properly completed; and, information provided on DHEC forms 1965 and 1963 was incorrect or missing waste codes.

Action: The Individual/Entity is required to: pay a civil penalty in the amount of two thousand one hundred dollars (**\$2,100.00**).

7) Order Type and Number: Consent Order 15-14-HW
Order Date: March 31, 2015
Individual/Entity: **Santolubes Manufacturing, LLC**
d.b.a. Blackman Uhler Specialties
Facility: Blackman Uhler Specialties
Location: 2155 West Croft Circle
Spartanburg, SC 29304
Mailing Address: P.O. Box 6740
Spartanburg, SC 29304
County: Spartanburg
Previous Orders: 11-049-A (\$7,800.00)
Permit/ID Number: SCR 003 349 065
Violations Cited: The South Carolina Hazardous Waste Management Act §44-56-130(2); The South Carolina Hazardous Waste Management Regulation 61-79.264.145.

Summary: Santolubes Manufacturing, LLC d.b.a. Blackman Uhler Specialties (Individual/Entity) is permitted for post-closure care in Spartanburg, South Carolina. On October 3, 2014, the Department determined that the Individual/Entity had violated the Hazardous Waste Management Regulations as follows: failure to establish financial assurance with the approved post-closure care plan for the facility within 60 days of the notification that financial assurance would no longer be provided.

Action: The Individual/Entity is required to: ensure compliance with post-closure financial assurance requirements; and, pay a civil penalty in the amount of one thousand, one hundred fifty dollars (**\$1,150.00**).

Location: 1534 Highway 38 West
Latta, SC 29565
Mailing Address: Same
County: Dillon
Previous Orders: None
Permit/ID Number: 17-1001B
Violations Cited: S.C. Code Ann. Regs. 61-51(J) &
61-51(K)(1)(c)

Summary: MG Hotel Latta, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool. On October 17, 2014, the pool was inspected and a violation was issued for failure to properly operate and maintain; and, on December 22, 2014, the pool was inspected and a violation was issued for failure to properly operate and maintain, and for re-opening prior to receiving Department approval. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the water level was too low; the pH and chlorine levels were not within the acceptable range of water quality standards; the bound and numbered log book was not available for Department review; the disinfection equipment was not operating properly; and, the pool was operating prior to receiving Department approval.

Action: The Individual/Entity 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 addressed; and, pay a civil penalty in the amount of eight hundred forty dollars (**\$840.00**). The civil penalty has been paid. The Individual/Entity submitted a corrective action plan and corrected the deficiencies.

Drinking Water Enforcement

10) Order Type and Number: Consent Order 15-016-DW
Order Date: March 3, 2015
Individual/Entity: **South Carolina Department of
Juvenile Justice**
Facility: Camp Ghigau
Location: 391 White Rock Road
Tamassee, SC 29686
Mailing Address: Same
County: Oconee
Previous Orders: None
Permit/ID Number: 3770001
Violations Cited: S.C. Code Ann. Regs. 61-58.5.F

Summary: South Carolina Department of Juvenile Justice (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On July 17, 2014, December 18, 2014, and January 16, 2015, a violation was issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform.

Action: The Individual/Entity 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 any requirement of the Order not be met.

11) <u>Order Type and Number:</u>	Consent Order 15-018-DW
<u>Order Date:</u>	March 23, 2015
<u>Individual/Entity:</u>	Doug Harbin, Individually and d.b.a. Harbin Mobile Home Park
<u>Facility:</u>	Harbin Mobile Home Park
<u>Location:</u>	1535 North Douglas Street Florence, SC 29501
<u>Mailing Address:</u>	P.O. Box 269 Isle of Palms, SC 29451
<u>County:</u>	Florence
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	2160096
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.5.F and 61-58.7

Summary: Doug Harbin, Individually and d.b.a. Harbin Mobile Home Park (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On October 13, 2014, October 17, 2014, and January 30, 2015, violations were issued as a result of review of monitoring records. On January 8, 2015, the PWS was inspected and rated unsatisfactory for failure to properly operate and maintain. The Individual/Entity has violated the State Primary Drinking Water Regulations as follows: the concrete pad surrounding the well was covered with soil and roots; there was not a lockable cover or house covering the well; there was no system map available for Department review; the building housing the pump and storage tank was dirty and deteriorated and did not have a lock; the area around the well house was dirty; the well house was inaccessible; and, the PWS exceeded the maximum contaminant level (MCL) for total coliform.

Action: The Individual/Entity is required to: submit a corrective action plan to include proposed steps to address the MCL violations and the deficiencies

at the PWS; and, pay a **stipulated penalty** in the amount of eight thousand dollars (**\$8,000.00**) should any requirement of the Order not be met.

12) Order Type and Number: Consent Order 15-019-DW
Order Date: March 23, 2015
Individual/Entity: **Hart's Rental Management Company, LLC**
Facility: Hannah Residential Manor
Location: 3750 Sheminally Road
Pamplico, SC 29583
Mailing Address: Same
County: Florence
Previous Orders: None
Permit/ID Number: 2170006
Violations Cited: S.C. Code Ann. Regs. 61-58.5.G(1)
and 61-58.6.E(4)

Summary: Hart's Rental Management Company, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On October 24, 2013, August 7, 2014, and January 20, 2015, violations were issued for failure to conduct routine bacteriological monitoring; and, a review of Department records revealed that the Individual/Entity failed to provide public notice to the customers of the PWS within one year of being notified of the October 24, 2013 non-monitoring violation. The Individual/Entity has violated the State Primary Drinking Water Regulations as follows: failure to conduct routine bacteriological monitoring at the PWS; and, failure to provide public notice to the customers of the PWS for a monitoring and reporting violation.

Action: The Individual/Entity is required to: submit a standard operating procedure to ensure that all monitoring and reporting requirements are complied with; pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**); and, pay a stipulated penalty in the amount of two thousand dollars (\$2,000.00) should any requirement of the Order not be met.

13) Order Type and Number: Consent Order 15-020-DW
Order Date: March 25, 2015
Individual/Entity: **Donalds-Due West Water & Sewer Authority**
Facility: Donalds-Due West Water & Sewer Authority
Location: P.O. Box 245
Donalds, SC 29368
Mailing Address: Same

County: Newberry
Previous Orders: None
Permit/ID Number: 0120001
Violations Cited: S.C. Code Ann. Regs. 61-58.5.P(2)(b)

Summary: Donalds-Due West Water & Sewer Authority (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On February 10, 2015, a violation was issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total trihalomethanes (TTHM).

Action: The Individual/Entity is required to: submit a corrective action plan to include proposed steps to address the MCL violation; and, pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

Water Pollution Enforcement

14) Order Type and Number: Consent Order 15-003-W
Order Date: March 4, 2015
Individual/Entity: **Daufuskie Island Utility Company**
Facilities: Daufuskie Island Club WWTF
Haig Point/Melrose WWTF
Location(s): Daufuskie Island Club WWTF
at the southern end of
Daufuskie Island
Haig Point/Melrose WWTF
SW Boundary of Haig Point
Daufuskie Island
Mailing Address: P.O. Box 360
Northborough, MA 01532-0360
County: Beaufort
Previous Orders: None
Permit/ID Number(s): ND0068179; ND0062286
Violations Cited: Pollution Control Act, S.C. Code
Ann. 48-1-110(d) (Supp. 2013); Water Pollution Control Permits, 4 S.C.
Code Ann. Regs. 61-9.122(a)(1), 61-9.122.41(e)(1), 61-9.122.48(a)(3)
(2011)

Summary: Daufuskie Island Utility Company (Individual/Entity) owns and is responsible for wastewater treatment facilities (WWTFs) that serve the

Daufuskie Island Club, Haig Point and Melrose developments located on Daufuskie Island, near the town of Bluffton in Beaufort County, South Carolina. On May 15, 2013, a Notice of Violation (NOV) was issued to the Individual/Entity for the Daufuskie Island Club WWTF. On December 19, 2013, a NOV was issued to the Individual/Entity and Guastella Associates, LLC (utility management company) for the Haig Point/Melrose WWTF. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent discharge limits for FC and BOD in its permits; failed to maintain records of monitoring results; and, failed to properly operate and/or maintain all components and equipment associated with the WWTFs.

Action: The Individual/Entity is required to: submit a comprehensive corrective action plan to address deficiencies noted in the CEI Reports and prevent future violations at its WWTFs; and, pay a **stipulated penalty** in the amount of eleven thousand, two hundred dollars (**\$11,200.00**) should any requirement of the Order not be met, including any implementation schedule or document approved by the Department.

- 15) Order Type and Number: Consent Order 15-012-W
Order Date: March 6, 2015
Individual/Entity: **Anderson County**
Facility: Six and Twenty Creek WWTP
Location: Near SC Hwy 97,
approx. one mile north of I-85
in Anderson County
Mailing Address: 1500 Dalrymple Road
Anderson, SC 29621
County: Anderson
Previous Orders: None
Permit/ID Number: SC0040193
Violations Cited: Pollution Control Act, S.C Code
Ann § 48-1-110(d) (Supp. 2013); Water Pollution Control Permits, 3 S.C.
Code Ann Regs. 61-9.122.41(a) (2011).

Summary: Anderson County (Individual/Entity) owns and is responsible for the proper operation and maintenance of the Six and Twenty Creek Wastewater Treatment Plant (WWTP), serving the businesses and residents within its designated service area. On December 20, 2013, a Notice of Violation was issued as a result of Discharge Monitoring Reports submitted by the Individual/Entity. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with effluent discharge limits of its National Pollutant Discharge Elimination System Permit for whole effluent chronic toxicity.

Action: The Individual/Entity is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; conduct a Toxicity Identification Evaluation and Toxicity Reduction Evaluation; submit quarterly summary reports of actions taken to achieve compliance with its permitted discharge limits; and, pay a civil penalty in the amount of two thousand, eight hundred dollars (**\$2,800.00**).

- 16) Order Type and Number: Consent Order 15-013-W
Order Date: March 19, 2015
Individual/Entity: **Town of Estill**
Facility: Town of Estill WWTF
Location: Morrison Street Ext.
Estill, SC 29918
Mailing Address: P.O. Box 415
Estill, SC 29918
County: Hampton
Previous Orders: 11-023-W (\$16,000.00)
Permit/ID Number: ND0069701
Violations Cited: Pollution Control Act, S.C. Code
Ann. 48-1-110(d) (Supp. 2013); Water Pollution Control Permits, 4 S.C.
Code Ann. Regs. 61-9.122(a)(1), 61-9.122.41(e) (2011)

Summary: The Town of Estill (Individual/Entity) owns and operates a wastewater treatment facility (WWTF). On April 16 through 18, 2012, March 14, 2013, and February 10 through 11, 2014, inspections of the WWTF were conducted. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: exceeded permit limits for effluent flow and fecal coliform (FC) and failed to properly operate and/or maintain all components and equipment associated with its WWTF.

Action: The Individual/Entity is required to: submit a comprehensive corrective action plan to address deficiencies noted in the inspection reports and prevent future violations; and, pay a civil penalty in the amount of thirty-eight thousand, seven hundred fifty-six dollars (**\$38,756.00**) payable in quarterly installments.

- 17) Order Type and Number: Consent Order 15-014-W
Order Date: March 19, 2015
Individual/Entity: **Town of Pendleton**
Facility: Town of Pendleton WWCS
Location: 865 Woodburn Road
Pendleton, SC 29670
Mailing Address: 310 Greenville Street
Pendleton, SC 29670-1419

County: Anderson
Previous Orders: None
Permit/ID Number: SC0035700
Violations Cited: Pollution Control Act, S.C. Code
Ann. 48-1-90(A)(1), 48-1-110(d) and 48-1-95 (Supp. 2013)

Summary: The Town of Pendleton (Individual/Entity) owns and operates a wastewater collection system (WWCS) serving the Town of Pendleton, its residents and customers, and the associated wastewater treatment facility (WWTF). The Individual/Entity reported four Sanitary Sewer Overflows (SSOs) in excess of five thousand (5,000) gallons each, into the environment and waters of the State, during a twelve (12) month period. The Individual/Entity has violated the Pollution Control Act as follows: discharged untreated sewage into the environment, including waters of the State, in a manner other than in compliance with a permit issued by the Department.

Action: The Individual/Entity is required to: report all wastewater spills of any volume from the WWCS verbally within twenty-four (24) hours and in writing within five (5) days; submit copies of public notices issued by the Individual/Entity for all significant spills; conduct a Capacity, Management, Operations and Maintenance (cMOM) Audit of the WWCS and treatment works; submit a report of the audit findings and a corrective action plan and schedule to address priority deficiencies identified in the WWCS or treatment works; develop and submit a Comprehensive Management Plan covering operations, maintenance and management of the collection system; submit a summary of corrective actions taken every six months thereafter until the order is closed; and pay a civil penalty in the amount of four thousand, eight hundred dollars (**\$4,800.00**).

BUREAU OF AIR QUALITY

18) Order Type and Number: Consent Order 15-007-A
Order Date: March 09, 2015
Individual/Entity: **DRC Emergency Services, LLC**
Facility: Storm Debris Disposal Site
Location: Lee Witt Road, Swansea, S.C.
Mailing Address: 740 Museum Drive, Mobile,
Alabama 36608
County: Lexington
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: 5 S.C. Code Ann. Regs. 61-62.2
(Supp. 2014), Prohibition of Open Burning

Summary: DRC Emergency Services, LLC (Individual/Entity) is a disaster management company headquartered in Mobile, Alabama. On June 17, 2014, the Department conducted an investigation at a storm debris disposal site located in Swansea, South Carolina, and determined that storm debris had been burned at the site. The Individual/Entity violated South Carolina Air Pollution Control Regulations as follows: burned materials less than 1000 feet from a public roadway.

Action: The Individual/Entity is required to: cease open burning, except as in compliance with the Regulation and pay a civil penalty in the amount of ten thousand dollars (**\$10,000.00**).

19) Order Type and Number: Consent Order 15-008-A
Order Date: March 09, 2015
Individual/Entity: **Southern Disaster Recovery, LLC**
Facility: Storm Debris Disposal Site
Location: Lee Witt Road, Swansea, South Carolina
Mailing Address: 419 The Parkway #214, Greer, South Carolina 29650
County: Lexington
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: 5 S.C. Code Ann. Regs. 61-62.2 (Supp. 2014), Prohibition of Open Burning

Summary: Southern Disaster Recovery, LLC (Individual/Entity) is a disaster management company headquartered in Greer, South Carolina. On June 17, 2014, the Department conducted an investigation at a storm debris disposal site located in Swansea, South Carolina, and determined that storm debris had been improperly burned at the site. The Individual/Entity violated South Carolina Air Pollution Control Regulations as follows: burned materials less than 1000 feet from a public roadway.

Action: The Individual/Entity is required to: cease open burning, except as in compliance with the Regulation and pay a civil penalty in the amount of eight thousand, five hundred dollars (**\$8,500.00**).

20) Order Type and Number: Consent Order 15-009-A
Order Date: March 13, 2015
Respondent: **Mr. Phal Sim**
Facility: Residential Property
Location: 203 Black St., Spartanburg, SC 29306

Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: 5 South Carolina Code Ann. Regs.
61-62.2, Prohibition of Open Burning

Summary: Mr. Phal Sim (Individual/Entity) resides at 203 Black Street, Spartanburg, South Carolina (Site). On September 8, 2014, the Department conducted an open burning investigation at the Site. The Individual/Entity violated South Carolina Air Pollution Control Regulations as follows: burned materials prohibited by the Regulation, including household garbage.

Action: The Individual/Entity is required to: cease open burning, except as in compliance with the Regulation and pay a civil penalty in the amount of five hundred dollars (**\$500.00**).

21) Order Type and Number: Consent Order 15-011-A
Order Date: March 31, 2015
Respondent: **Carolina Fabrication, Inc.**
Facility: Carolina Fabrication, Inc.
Location: 1439 Cambridge Street Ext., SC
29620
Mailing Address: Same
County: Abbeville
Previous Orders: 12-018-A (\$4,000.00)
Permit/ID Number: 0040-0032
Violations Cited: 5 S.C. Code Ann. Regs. 61-62.1,
Sections II.A.1.a., II.F.1., IIB.2.h., and II.H.3.; and Consent Order 12-018-A

Summary: Carolina Fabrication, Inc. (Individual/Entity) operates a heavy metal fabrication facility located at 1439 Cambridge St. Ext. in Abbeville, South Carolina. The Department issued Conditional Major Air Quality Permit 0040-0032 to the Individual/Entity, effective July 1, 2009. On September 19, 2013, the Department conducted a comprehensive inspection. The Individual/Entity violated South Carolina Air Pollution Control Regulations as follows: failed to apply for and obtain construction and operating permits prior to installing and operating outdoor sandblasting units; failed to determine whether its sources of air contaminants met the applicable exemption requirements prior to installing and operating those sources; failed to submit a timely request to renew the Conditional Major Permit; failed to calculate and maintain records of monthly emissions and 12-month rolling sums; failed to submit timely semiannual emissions reports; and, failed to maintain records of daily filter inspections and regular cleaning or filter replacement.

Action: The Individual/Entity is required to: comply with all terms and conditions of the Conditional Major Air Quality Permit, until such time as the Department takes final action on the application for renewal; henceforth apply for and obtain Department-issued permits prior to constructing, altering, or adding to any source of air contaminants; henceforth submit timely applications for renewal of its operating permits; henceforth calculate and maintain records of monthly emissions and submit timely, complete, and accurate semiannual emissions reports; henceforth maintain records of daily filter inspection and regular cleaning or filter replacement; submit cover letters for the semiannual emissions reports covering the periods ending June 30, 2014 and December 31, 2014, that provide clarifications detailed in the order, including the algorithm used to calculate facility-wide emissions and example calculations; and, pay a civil penalty in the amount of twenty-two thousand five hundred dollars (**\$22,500.00**) payable in three installments.

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

22)	<u>Order Type and Number:</u>	Consent Order 2014-206-03-107
	<u>Order Date:</u>	March 19, 2015
	<u>Individual/Entity:</u>	Eastern Buffet
	<u>Facility:</u>	Eastern Buffet
	<u>Location:</u>	955 East Main Street Lexington, SC 29072
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Lexington
	<u>Previous Orders:</u>	None
	<u>Permit Number:</u>	32-206-05537
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25 Chapter II, Section B.1 (previous regulation); S.C. Code Ann. Regs. 61-25, 8-904.110(A)(1)(2) (revised regulation)

Summary: Eastern Buffet (Individual/Entity) is a restaurant located in Lexington, South Carolina. The Department conducted inspections on August 6, 2013, July 3, 2014, and July 10, 2014. The Individual/Entity violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain proper holding temperatures.

Action: The Individual/Entity is required to: conduct operational monitoring procedures for checking holding temperatures of all potentially hazardous foods three (3) times a day and record these temperatures on a food temperature log; maintain proper holding temperatures of potentially hazardous foods; operate and maintain the facility in accordance with the requirements of all

applicable regulations, including S.C. Regs. 61-25; one (1) representative from Eastern Buffet complete a food protection manager certification program; pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**); and, pay a stipulated penalty in the amount of two hundred fifty dollars (\$250.00) should the required food protection manager certification program not be completed.

OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT

23) Order Type and Number: Consent Order 14B-009P
Order Date: March 13, 2015
Individual/Entity: **James P. Chaplin**
Location: 10 Northview Drive
Beaufort, SC
Mailing Address: 2412 Pine Haven St.
Beaufort, SC 29902
County: Beaufort
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(M);
and 23A S.C. Code Ann. Regs. 30-12(A)(2)(b).

Summary: James P. Chaplin (Individual/Entity) is the owner of certain property abutting the tidelands critical area. An inspection at the site was conducted on May 22, 2014. The Individual/Entity has violated the Coastal Zone Management Act and Critical Area Permitting Regulations as follows: constructed a bulkhead in the tidelands critical area without a Department permit and a dock walkway that is 4'6" in width.

Action: The Individual/Entity is required to: reduce the width of the dock walkway to 4 feet; submit an administratively complete after-the-fact permit request for the bulkhead once the dock walkway is corrected; and, pay a civil penalty of two hundred dollars (**\$200.00**).

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