

SUMMARY SHEET  
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

April 7, 2022

- ( ) ACTION/DECISION  
(X) INFORMATION

- I. TITLE:** Healthcare Quality Administrative and Consent Orders.
- II. SUBJECT:** Healthcare Quality Administrative Orders and Consent Orders for the period of February 1, 2022, through February 28, 2022.
- III. FACTS:** For the period of February 1, 2022, through February 28, 2022, Healthcare Quality reports one (1) Emergency Suspension Order and two (2) Consent Orders totaling \$37,000 in assessed monetary penalties.

Name of Bureau	Facility, Service, Provider, or Equipment Type	Emergency Suspension Orders	Administrative Orders	Consent Orders	Assessed Penalties	Required Payment
Community Care	Community Residential Care Facility (CRCF)	1	0	0	N/A	N/A
Radiological Health	Radioactive Material Industrial Licensee	0	0	1	\$12,000	\$5,000
	Mammography	0	0	1	\$25,000	\$25,000
<b>TOTAL</b>		<b>1</b>	<b>0</b>	<b>2</b>	<b>\$37,000</b>	<b>\$30,000</b>

Submitted By:

*Gwendolyn C. Thompson*

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Gwen C. Thompson  
Deputy Director  
Healthcare Quality

HEALTHCARE QUALITY ENFORCEMENT REPORT  
SOUTH CAROLINA BOARD OF HEALTH AND ENVIRONMENTAL CONTROL

April 7, 2022

**Bureau of Community Care**

Facility Type	Total Number of Licensed Facilities	Total Number of Licensed Beds
Community Residential Care Facility (CRCF)	481	22,112

**1. Oakridge Community Care Home #1 – Inman, SC**

Inspections and Investigations: On February 14, 2022, the Department was notified of the arrest of the facility administrator for multiple counts of committing neglect and exploitation of vulnerable adults as well as breach of trust with fraudulent intent. The Department conducted an inspection of the facility on February 14, 2022.

Violations: Pursuant to S.C. Code Section 44-7-320(A)(1)(a) and (c) and Regulation 61-84, Standards for Licensing Community Residential Care Facilities, the Department may deny, suspend, or revoke licenses or assess a monetary penalty, or both, against a person or facility for engaging in conduct or practices detrimental to the health or safety of patients, residents, clients, or employees of a facility or service. The Department may immediately suspend the facility’s license and shall contact the appropriate agencies for placement of the residents pursuant to S.C. Code Section 44-7-320(A)(3), if in the Department’s judgment, conditions or practices exist in a facility that pose an immediate threat to the health, safety, and welfare of the residents. The Department is further authorized pursuant to S.C. Code Section 44-1-140 to issue orders whenever it finds that an emergency requires immediate action to protect the public life and health.

The Department concluded that as a result of the arrest of the administrator, observations made during the inspection, and the uncertainties concerning the continued operation of the facility, there were multiple conditions and practices at the facility that posed an immediate threat to the health, safety, and welfare of residents, including:

- Insufficient staffing which may hinder or prevent residents from receiving required care and services. According to staff schedules received from the facility, there was not sufficient staff to provide the required care needed by the residents.
- Not having a plan for continued financing of the facility. According to information obtained by the Department, the administrator does not have access to any of the financials associated with the facility. There was no plan in place for the facility to be able to buy food, purchase medication, pay for the utilities to continue services needed for the residents care and services. The uncertainty concerning the finances of the facility jeopardize whether staff will be paid, resident food and medication will be purchased, and essential utilities will be paid and provided.
- Unavailability of physician-ordered medications for residents, the bond conditions placed on the administrator who also operates the pharmacy utilized by the facility, and the lack of a plan for

continued provision of pharmaceutical services posed serious health threats to the residents of the facility. The administrator is a licensed pharmacist who owns a pharmacy located next to the facility. According to the conditions ordered by the courts, the administrator is restricted from physically entering properties or being on the property or premises of the facility. The facility did not have a plan to provide the residents with their medications. Physician-ordered medications were not available in the facility. There was no confirmation that medications would be in the facility for the next scheduled administration.

Enforcement Action: The Department determined that emergency action was required to suspend the facility’s license and issued an Emergency Suspension Order, immediately suspending the facility’s license. When the Department immediately suspends a facility’s license, a preliminary hearing must be held within five (5) calendar days to determine if the immediate threatening conditions or practices continue to exist.

Remedial Action: All thirty-seven (37) residents were relocated as of February 17, 2022. When the Department immediately suspends a facility’s license, a preliminary hearing must be held within five (5) calendar days to determine if the immediate threatening conditions or practices continue to exist. The preliminary hearing was held in the S.C. Administrative Law Court (ALC) on February 18, 2022. By order on March 1, 2022, the ALC judge upheld the Department’s Emergency Suspension Order.

Prior Actions: The Department took enforcement action against the facility in October 2017. The parties agreed to resolve the matter with a consent order imposing a monetary penalty of \$15,000. The facility agreed to pay \$7,500 of the assessed monetary penalty within thirty (30) days of execution of the Consent Order. The remaining \$4,500 was held in abeyance upon a six-month substantial compliance period. The facility attended a compliance assistance meeting with the Department.

**Bureau of Radiological Health**

Licensee Type	Total Number of Licensees
Radioactive Material Industrial Licensee	136

**2. GS2 Engineering, Inc – Columbia, SC**

Inspections and Investigations: The Department conducted a routine inspection of the licensee in June 2021.

Violations: The Department found the licensee in violation of Regulation 61-63, *Radioactive Material (Title A)*, and license conditions pursuant to S.C. Code Section 13-7-40(I). The licensee failed to ensure that no other individual, other than its designated Radiation Safety Officer, perform the duties and responsibilities of the Radiation Safety Officer. The licensee failed to have ten (10) portable gauging devices tested for leakage and/or contamination at intervals exceeding twelve (12) months, a repeat violation. Moreover, the licensee failed to conduct a physical inventory every six (6) months to account for all sources and/or devices received and possessed under its license, a repeat violation.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order imposing a civil monetary penalty totaling \$12,000 against the licensee. The licensee was

required to pay \$5,000 of the assessed penalty within thirty (30) days of executing the Consent Order. The remaining balance of \$7,000 is stayed pending timely payment of the \$5000.

Remedial Action: The licensee has made the required payment, in full, totaling \$5,000.

Prior Actions: None in the past five years.

<b>Registrant Type</b>	<b>Total Number of Registered Mammography Facilities</b>
Mammography Facility	106

### **3. RHS-Clyburn Center for Primary Care – Aiken, SC**

Inspections and Investigations: The Department conducted an onsite inspection in April 2021. As a result of the Department’s findings and at the Department’s request, the accrediting body, the American College of Radiology (ACR), performed a Limited Additional Mammography Review (LAMR) in May 2021. On May 26, 2021, ACR notified the Department that the registrant was found to be deficient because it did not meet the ACR’s criteria for clinical image quality. The Department then investigated the ACR’s additional findings.

Violations: The Department found the registrant failed to comply with Regulation 61-64, X-Rays, which requires the registrant to correct violations within sixty (60) calendar days from the date of citation and provide written notification of all corrective action. The registrant failed to register a mammography unit within thirty (30) days of the date of installation. The registrant failed to ensure that a shielding plan, or a written request by a registered vendor to perform a post-install survey in lieu of a shielding plan, was submitted for Department review and acceptance prior to installation of a mammography unit. The registrant failed to ensure the required Department-issued certificate was current and valid to ensure lawful operation, and that each mammography report contains the appropriate overall final assessment of findings. The registrant failed to ensure its quality assurance program was substantially the same as the program recommended by the image receptor manufacturer. Moreover, the registrant was found deficient for two (2) of six (6) cases that did not meet the ACR’s criteria for clinical image quality.

Enforcement Action: The parties agreed to resolve the matter with a consent order. The parties executed a consent order assessing a civil monetary penalty of \$25,000. The registrant is required to pay the full amount of the civil monetary penalty within thirty (30) days of the execution of the consent order.

Remedial Action: The facility made the required payment, in full, totaling \$25,000.

Prior Actions: None in the past five years.

SUMMARY SHEET  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
April 7, 2022

\_\_\_\_\_ ACTION/DECISION

  X   INFORMATION

1. **TITLE:** Administrative and Consent Orders issued by the Office of Environmental Affairs.
  
2. **SUBJECT:** Administrative and Consent Orders issued by the Office of Environmental Affairs during the period February 1, 2022, through February 28, 2022.
  
3. **FACTS:** For the reporting period of February 1, 2022, through February 28, 2022, the Office of Environmental Affairs issued forty-one (41) Consent Orders with total assessed civil penalties in the amount of one hundred forty-one thousand, eight hundred seventy-three dollars (\$141,873.00). Also, ten (10) Administrative Orders with total assessed civil penalties in the amount of one thousand dollars (\$1,000.00) were reported during this period.

Bureau and Program Area	Administrative Orders	Assessed Penalties	Consent Orders	Assessed Penalties
<b>Land and Waste Management</b>				
UST Program	0	0	7	\$20,073.00
Aboveground Tanks	0	0	0	0
Solid Waste	0	0	2	\$3,500.00
Hazardous Waste	0	0	3	\$20,000.00
Infectious Waste	0	0	3	\$37,700.00
Mining	0	0	0	0
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>15</b>	<b>\$81,273.00</b>
<b>Water</b>				
Recreational Water	0	0	3	\$5,720.00
Drinking Water	0	0	4	\$4,000.00
Water Pollution	0	0	5	\$22,680.00
Dam Safety	0	0	0	0
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>12</b>	<b>\$32,400.00</b>
<b>Air Quality</b>				
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Environmental Health Services</b>				
Food Safety	1	\$1,000.00	11	\$17,700.00
Onsite Wastewater	9	0	3	\$10,500.00
<b>SUBTOTAL</b>	<b>10</b>	<b>\$1,000.00</b>	<b>14</b>	<b>\$28,200.00</b>
<b>OCRM</b>				
<b>SUBTOTAL</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TOTAL</b>	<b>10</b>	<b>\$1,000.00</b>	<b>41</b>	<b>\$141,873.00</b>

Submitted by:



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Myra C. Reece  
Director of Environmental Affairs

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
April 7, 2022**

**BUREAU OF LAND AND WASTE MANAGEMENT**

**Underground Storage Tank Enforcement**

- 1)     Order Type and Number:           Consent Order 21-0540-UST  
       Order Date:                    February 2, 2022  
       Individual/Entity:            **Eubanks Oil, LLC**  
       Facility:                        Quick Pantry 19  
       Location:                        1802 South Main Street  
  Greenwood, SC 29646  
       Mailing Address:               P.O. Box 807  
  Greenwood, SC 29649  
  
       County:                         Greenwood  
       Previous Orders:               None  
       Permit/ID Number:            04785  
       Violations Cited:            The State Underground Petroleum  
       Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. §§  
       44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control  
       Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.26(f) (2012 and Supp. 2020).

Summary: Eubanks Oil, LLC (Individual/Entity) is a fuel supply company that delivers fuel to underground storage tanks in Greenwood County, South Carolina. On September 27, 2021, the Individual/Entity dispersed fuel into an underground storage tank (UST) under Delivery Prohibition. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: dispensed fuel into an UST under Delivery Prohibition.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of eight thousand, seven hundred fifty dollars (\$8,750.00). The Individual/Entity shall pay a civil penalty in the amount of eight thousand, seven hundred fifty dollars (**\$8,750.00**) by March 19, 2022.

Update: The civil penalty in the amount of eight thousand, seven hundred fifty dollars (\$8,750.00) has been paid in full.

- 2)     Order Type and Number:           Consent Order 20-0274-UST  
       Order Date:                    February 10, 2022  
       Individual/Entity:            **SC Department of Corrections**  
       Facility:                        Allendale Correctional Institution  
       Location:                        1057 Revolutionary Trail  
  Fairfax, SC 29827  
       Mailing Address:               P.O. Box 21787  
  Columbia, SC 29221-1787  
  
       County:                         Allendale  
       Previous Orders:               None

Permit/ID Number: 10930  
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. §§ 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.40(a), 280.40(a)(3), and 280.41(a)(1) (2012 and Supp. 2020).

Summary: South Carolina Department of Corrections (Individual/Entity) owns and operates underground storage tanks (USTs) in Allendale County, South Carolina. On September 10, 2020, the Department conducted an inspection and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and South Carolina Underground Storage Tank Control Regulation as follows: failed to provide an adequate release detection method; failed to annually test release detection equipment for proper operation; and failed to monitor a tank installed on or before May 23, 2008, every thirty (30) days.

Action: The Individual/Entity is required to: submit proof of a valid release detection method for the 12,000-gallon diesel UST and submit passing release detection operability test results for the 12,000-gallon diesel UST by March 29, 2022. The Department has assessed a total civil penalty in the amount of six thousand, one hundred eighty dollars (\$6,180.00). The Individual/Entity shall pay a **suspended penalty** in the amount of six thousand, one hundred eighty dollars (**\$6,180.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has completed all requirements of the Order. The Order is closed.

3) Order Type and Number: Consent Order 21-0534-UST  
Order Date: February 10, 2022  
Individual/Entity: **North Pole Investments, Inc.**  
Facility: Express Mart  
Location: 2620 South Kings Highway  
Myrtle Beach, SC 29577  
Mailing Address: Same  
County: Horry  
Previous Orders: None  
Permit/ID Number: 05171  
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. §§ 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.65 (2012 and Supp. 2020).

Summary: North Pole Investments, Inc. (Individual/Entity) owned and operated underground storage tanks (USTs) in Horry County, South Carolina. On July 18, 2017, a release was reported at the Facility. On July 30, 2020, the Department issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and South Carolina Underground Storage Tank Control Regulation as follows: failed to determine the full extent of a release in accordance with a schedule established by the Department.

Action: The Individual/Entity is required to submit a Groundwater Sampling report by March 28, 2022. The Department has assessed a total civil penalty in the amount of two thousand, three hundred forty-five dollars (\$2,345.00). The

Individual/Entity shall pay a **suspended penalty** in the amount of two thousand, three hundred forty-five dollars (**\$2,345.00**) should any requirement of the Order not be met.

Update: None.

- 4) Order Type and Number: Consent Order 21-0579-UST  
Order Date: February 10, 2022  
Individual/Entity: **Ed F. Hodges, Inc.**  
Facility: Ed F. Hodges, Inc., Station 4  
Location: 709 Highway 301 North  
Dillon, SC 29536  
Mailing Address: P.O. Box 98  
Fairmont, NC 28340-0098  
County: Dillon  
Previous Orders: None  
Permit/ID Number: 09933  
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. §§ 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.65 (2012 and Supp. 2020).

Summary: Ed F. Hodges, Inc. (Individual/Entity) owns and operates underground storage tanks (USTs) in Dillon County, South Carolina. On December 19, 2018, a release was reported at the Facility. On November 15, 2019, the Department issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and South Carolina Underground Storage Tank Control Regulation as follows: failed to determine the full extent of a release in accordance with a schedule established by the Department.

Action: The Individual/Entity is required to submit an Initial Groundwater Assessment (IGWA) report by March 28, 2022. The Department has assessed a total civil penalty in the amount of five thousand, one hundred twenty-three dollars (\$5,123.00). The Individual/Entity shall pay a civil penalty in the amount of five thousand, one hundred twenty-three dollars (**\$5,123.00**) by March 28, 2022.

Update: None.

- 5) Order Type and Number: Consent Order 21-0621-UST  
Order Date: February 18, 2022  
Individual/Entity: **Oham Shanti, Inc.**  
Facility: Oham Shanti, Inc.  
Location: 211 North Mine Street  
McCormick, SC 29835  
Mailing Address: 144 Kimmeridge Drive  
Macon, GA 31220  
County: McCormick  
Previous Orders: None  
Permit/ID Number: 17671  
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. §§



44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.242 (2012 and Supp. 2020).

Summary: Oham Shanti, Inc. (Individual/Entity) owns and operates underground storage tanks (USTs) in McCormick County, South Carolina. On October 6, 2021, the Department conducted an inspection and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and South Carolina Underground Storage Tank Control Regulation as follows: failed to have a Class A/B operator trained for the Facility.

Action: The Individual/Entity is required to submit proof a Class A/B operator has been trained and designated for the facility by April 4, 2022. The Department has assessed a total civil penalty in the amount of two hundred dollars (\$200.00). The Individual/Entity shall pay a civil penalty in the amount of two hundred dollars (**\$200.00**).

Update: The civil penalty has been paid.

6) Order Type and Number: Consent Order 22-0003-UST  
Order Date: February 18, 2022  
Individual/Entity: **Petroleum Carriers, Inc.**  
Facility: Ingles Gas Express 200  
Location: 4600 Highway 9  
Spartanburg, SC 29349  
Mailing Address: 2560 South Port Road  
Spartanburg, SC 29302  
County: Horry  
Previous Orders: None  
Permit/ID Number: 19101  
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.10(d) (2012 & Supp 2020).

Summary: Petroleum Carriers, Inc. (Individual/Entity) is a fuel supply company located in Spartanburg County, South Carolina. The Department issued a Notice of Alleged Violation dated December 15, 2021. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: introduced product into an unregistered or unpermitted UST.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of three thousand dollars (\$3,000.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**) by April 4, 2022.

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

7) Order Type and Number: Consent Order 22-0004-UST  
Order Date: February 18, 2022  
Individual/Entity: **Ingles Markets, Inc.**  
Facility: Ingles Gas Express 200

Location: 4600 Highway 9  
Spartanburg, SC 29349  
Mailing Address: P.O. Box 6626  
Asheville, NC 28816  
County: Horry  
Previous Orders: None  
Permit/ID Number: 19101  
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.10(d) (2012 & Supp 2020).

Summary: Ingles Markets, Inc. (Individual/Entity) operates underground storage tanks (USTs) in Spartanburg County, South Carolina. The Department conducted an inspection on December 15, 2021 and issued a Notice of Alleged Violation. The Individual/Entity violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation as follows: introduced product into an unregistered or unpermitted UST.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of three thousand dollars (\$3,000.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**) by April 4, 2022.

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

### **Solid Waste Enforcement**

8) Order Type and Number: Consent Order 22-01-SW  
Order Date: February 23, 2022  
Individual/Entity: **Mary Hunt-Miller**  
Facility: Hunt-Miller Class 1 Landfill  
Location: 1226 Chime Bell Church Road  
Aiken, SC 29803  
Mailing Address: Same  
County: Aiken  
Previous Orders: 20-21-SW  
Permit/ID Number: 022725-1701  
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, S.C. Code Ann. §§ 44-96-10 et seq. (2002 & Supp. 2018), Solid Waste Management: Solid Waste Landfills and Structural Fill, Part III.B.7 and Part III.B.8.c. (Rev. 2008 & Supp. 2016), and General Permit 022725-1701.

Summary: Mary Hunt-Miller (Individual/Entity), operates a Class 1 Landfill located in Aiken County, South Carolina. Based on routine inspections of the Facility, the Department issued a Notice of Enforcement Conference on December 15, 2021. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act and the Solid Waste Management: Solid Waste Landfills and Structural Fill, as follows: failed to complete Class 1 Landfill Closure activities and failed to implement

corrective action measures as appropriate to extinguish the fire and prevent it from smoldering.

Action: The Individual/Entity is required to: immediately ensure the fire and any hot spots below the covered surface are extinguished entirely; complete closure activities and submit a closure certification report for Section A of the Landfill Closure Sequence Map by April 25, 2022; complete closure activities and submit a closure certification report for Section D by October 21, 2022; and seed Sections A through D with native grasses within thirty (30) days of the Department's certification of the cap for each Section. The Department has assessed a total civil penalty in the amount of five thousand, nine hundred dollars (\$5,900.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand, nine hundred dollars (**\$5,900.00**) should any requirement of the Order not be met.

Update: None.

9) Order Type and Number: Consent Order 22-03-SW  
Order Date: February 24, 2022  
Individual/Entity: **County of Pickens**  
Facility: TMS # 5009-00-02-4922  
Location: 2035 Old Liberty Road  
Liberty, SC 29657  
Mailing Address: Same  
County: Pickens  
Previous Orders: None  
Permit/ID Number: N/A  
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991, S.C. Code Ann. §§ 44-96-10 et seq. (2002 & Supp. 2018); Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, Part III.B.6. (Rev. 2008 & Supp. 2016).

Summary: The County of Pickens (Individual/Entity), owns property located in Pickens County, South Carolina. Based on information provided to the Department during a routine inspection of near-by permitted facilities, the Department conducted an inspection on September 29, 2021 and issued a Notice of Alleged Violation. The Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act, the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, in that the Individual/Entity: failed to obtain a Department issued permit prior to operating a Class 1 Landfill.

Action: The Individual/Entity is required to close the unpermitted Class 1 Landfill in place by: either certifying the entire fill area and side slopes are stable as-is by a professional engineer or be regraded to promote positive drainage, and the site slope shall not exceed 3:1; apply a minimum of two (2)-foot thick final earth cover over the entire fill area; use appropriate best management practices to control stormwater runoff; test for certification of cap closure at a rate of two (2) thickness tests per acre, as defines by best engineering and construction practices, and have verified by a professional engineer; submit an engineer's closure certification report; seed the finished surface of the filled are with native grasses or other suitable ground cover to establish a 75% or greater permanent vegetative cover with no substantial bare spots; and record with the appropriate Register of Deed, a notation in the record of ownership of the property that the land or a portion thereof has been landfilled; and submit a copy of the recorded deed

notation to the Department by September 22, 2022. The Department has assessed a total civil penalty of three thousand, five hundred dollars (\$3,500.00). The Individual/Entity shall pay a civil penalty of three thousand, five hundred dollars (**\$3,500.00**) by April 11, 2022.

Update: None.

### **Hazardous Waste Enforcement**

10) Order Type and Number: Consent Order 22-03-HW  
Order Date: February 1, 2022  
Individual/Entity: **Lowe's Home Centers, LLC – Lowe's Store 1075**  
Facility: Lowe's Home Centers, LLC – Lowe's Store 2548  
Location: 1701 Freedom Boulevard  
Florence, SC 29505  
Mailing Address: 1000 Lowe's Boulevard MC LPH28,  
 Mooresville, NC 28115  
County: Florence  
Previous Orders: None  
Permit/ID Number: SCR 000 785 246  
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018), and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2020).

Summary: Lowe's Home Centers, LLC – Lowe's Store 1075 (Individual/Entity) is a retail store specializing in home improvement at its facility located in Florence County, South Carolina. The Department conducted an inspection at the facility on October 29, 2021. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to properly label its containers; failed to at least weekly, inspect the central accumulation areas; failed to ensure all employees were thoroughly familiar with proper hazardous waste handling and emergency procedures; failed to contain universal waste lamps in containers that are structurally sound and adequate to prevent breakage and a release; failed to properly label each universal waste lamp or container; and failed to demonstrate the length of time universal waste had accumulated from the date it became a waste.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of eight thousand, five hundred dollars (\$8,500.00). The Individual/Entity shall pay a civil penalty in the amount of eight thousand, five hundred dollars (**\$8,500.00**) by March 1, 2022.

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

11) Order Type and Number: Consent Order 22-04-HW  
Order Date: February 03, 2022

Individual/Entity: **Clemson University**  
Facility: Clemson University  
Location: 391 College Avenue, Suite 104  
Clemson, SC 29631  
Mailing Address: Same  
County: Pickens  
Previous Orders: None  
Permit/ID Number: SCD042629816  
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018), and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2018).

Summary: Clemson University (Individual/Entity), is a public institution of higher education located in Pickens County, South Carolina. The Department conducted an inspection on June 29, 2021. The Individual/Entity violated the South Carolina Hazardous Waste Management Act, the Hazardous Waste Management Regulations and the South Carolina Solid Waste Management: Used Oil Regulations as follows: failed to mark its containers with the words :Hazardous Waste” and an indication of the hazards of the contents; failed to clean up any hazardous waste discharge; failed to mark universal waste cans with one of the following phrases: Universal Waste – Aerosol Can(s),” or “Waste Aerosol Can(s),” or “Used Aerosol Can(s); failed to mark universal waste lamps with one of the following phrases” “Universal Waste – Lamp(s),” or “Waste Lamp(s),” or “Used Lamp(s); failed to demonstrate the length of time that the universal waste had been accumulated from the date it became a waste or was received; failed to ensure that containers holding hazardous waste must be closed at all times during the accumulation, except: when adding, removing, or consolidating waste; failed to ensure that containers and aboveground tanks used to store used oil must be closed to prevent spillage or contamination from precipitation; and failed to ensure that containers and aboveground tanks used to store used oil are labeled or marked clearly with the words “Used Oil.”

Action: The Individual/Entity corrected all violations prior to the issuance of the Order. The Department has assessed a total civil penalty in the amount of four thousand, five hundred dollars (\$4,500.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, five hundred dollars (**\$4,500.00**) by March 5, 2022.

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

12) Order Type and Number: Consent Order 22-05-HW  
Order Date: February 14, 2022  
Individual/Entity: **Sentury Reagents, Inc.**  
Facility: Sentury Reagents, Inc.  
Location: 2515 Commerce Drive  
Rock Hill, SC 29731  
Mailing Address: Same  
County: York  
Previous Orders: N/A  
Permit/ID Number: SCD 982 085 136  
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018), and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2020).

Summary: Sentury Reagents, Inc. (Individual/Entity) is a chemical manufacturing corporation specializing in the production of high purity chemicals for use in catalysts, corrosion inhibitors, intermediates, metal finishing, pigments, and other products at its facility located in York County, South Carolina. The Department conducted an inspection at the facility on November 16, 2021. The Individual/Entity has violated the South Carolina Hazardous Waste Management Act and the Hazardous Waste Management Regulations as follows: failed to determine if a solid waste was a hazardous waste; failed to mark or label its containers with an indication of the hazards of the contents; failed to at least weekly, inspect the central accumulation areas; and failed to receive a copy of the manifest from the designated facility.

Action: The Department has assessed a total civil penalty in the amount of seven thousand dollars (\$7,000.00). The Individual/Entity shall pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**) by March 14, 2022.

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

### **Infectious Waste Enforcement**

- 13) Order Type and Number: Consent Order 21-04-IW  
Order Date: February 3, 2022  
Individual/Entity: **Colleton Medical Center**  
Facility: Colleton Medical Center  
Location: 501 Robertson Boulevard  
Walterboro, SC 29588  
Mailing Address: Same  
County: Colleton  
Previous Orders: None  
Permit/ID Number: SC15-0015G  
Violations Cited: The South Carolina Infectious Waste Management Act, S.C. Code ann. §§ 44-93-10 et seq. (2002); and the South Carolina Infectious Waste Management Regulation, 8. S.C. Code Ann. Regs. 61-105 (2010).

Summary: Colleton Medical Center (Individual/Entity), operates a general acute care facility located in Colleton County, South Carolina. The Department conducted an open investigation on October 21, 2021. The Individual/Entity has violated the South Carolina Infectious Waste Management Act and the South Carolina Infectious Waste Management Regulation as follows: failed to segregate infectious waste at the point of generation; failed to properly manage infectious waste; failed to offer infectious waste for offsite transport only to a registered transporter; failed to package infectious waste in accordance with the regulations; failed to place and maintain all sharps in a rigid, leak-resistant, and puncture resistant containers; failed to place, store, and maintain all other types of infectious waste during transport in rigid or semirigid leak-resistant containers; failed to use containers that had sufficient strength to prevent bursting and tearing; failed to use plastic bags that were red or orange color and had sufficient strength to prevent tearing; failed to contain infectious waste in containers that were appropriate for storage, transportation, and treatment processes; failed to properly label containers of infectious waste; failed to treat infectious waste prior to disposal; and failed to report to the

Department within twenty-four (24) hours and investigate and confirm all suspected releases of infectious waste.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of eleven thousand, two hundred dollars (\$11,200.00). The Individual/Entity shall pay a civil penalty of eleven thousand, two hundred dollars (**\$11,200.00**) by March 7, 2022.

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

- 14) Order Type and Number: Consent Order 22-02-IW  
Order Date: February 3, 2022  
Individual/Entity: **East Cooper Medical Center**  
Facility: East Cooper Medical Center  
Location: 2000 Hospital Drive  
Charleston, SC 29464  
Mailing Address: Same  
County: Charleston  
Previous Orders: None  
Permit/ID Number: SC10-0261G  
Violations Cited: The South Carolina Infectious Waste Management Act, S.C. Code ann. §§ 44-93-10 et seq. (2002) and the South Carolina Infectious Waste Management Regulation, 8. S.C. Code Ann. Regs. 61-105 (2010).

Summary: East Cooper Medical Center (Individual/Entity) is a full-service hospital specializing in comprehensive healthcare located in Charleston County, South Carolina. The Department conducted an open investigation on October 27, 2021, and a site visit on November 2, 2021. The Individual/Entity has violated the South Carolina Infectious Waste Management Act and the South Carolina Infectious Waste Management Regulation as follows: failed to segregate infectious waste at the point of generation; failed to properly manage infectious waste; failed to offer infectious waste for offsite transport only to a registered transporter; failed to package infectious waste in accordance with the regulations; failed to place and maintain all sharps in a rigid, leak-resistant, and puncture resistant containers; failed to place, store, and maintain all other types of infectious waste during transport in rigid or semirigid leak-resistant containers; failed to use containers that had sufficient strength to prevent bursting and tearing; failed to use plastic bags that were red or orange color and had sufficient strength to prevent tearing; failed to contain infectious waste in containers that were appropriate for storage, transportation, and treatment processes; failed to properly label containers of infectious waste; and failed to treat infectious waste prior to disposal.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of twenty-three thousand dollars (\$23,000.00). The Individual/Entity shall pay a civil penalty in the amount of twenty-three thousand dollars (**\$23,000.00**) by March 3, 2022.

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

- 15) Order Type and Number: Consent Order 22-03-IW  
Order Date: February 3, 2022

Individual/Entity: **VF Partners-CHS, LLC DBA Thrive Total Wellness**  
Facility: VF Partners-CHS, LLC DBA Thrive Total Wellness  
Location: 138 St. Philip Street  
Charleston, SC 29403  
Mailing Address: Same  
County: Charleston  
Previous Orders: None  
Permit/ID Number: IWG002313  
Violations Cited: The South Carolina Infectious Waste Management Act, S.C. Code ann. §§ 44-93-10 et seq. (2002) and the South Carolina Infectious Waste Management Regulation, 8. S.C. Code Ann. Regs. 61-105 (2010).

Summary: VF Partners-CHS, LLC DBA Thrive Total Wellness (Individual/Entity) is a wellness intravenous spa located in Charleston County, South Carolina. The Department conducted an open investigation in response to a complaint on July 21, 2021. The Individual/Entity has violated the South Carolina Infectious Waste Management Act and the South Carolina Infectious Waste Management Regulation as follows: failed to register with the Department in writing on a Department approved form as an infectious waste generator.

Action: The Individual/Entity is required to: submit first and second quarter manifests for 2022. The Department has assessed a total civil penalty in the amount of three thousand, five hundred dollars (\$3,500.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, five hundred dollars (**\$3,500.00**) in twelve (12) monthly installments beginning February 15, 2022 and ending January 15, 2023.

Update: None

## **BUREAU OF WATER**

### **Recreational Waters Enforcement**

16) Order Type and Number: Consent Order 22-010-RW  
Order Date: February 4, 2022  
Individual/Entity: **Kismet Rock Hill, LLC**  
Facility: Holiday Inn – Rock Hill  
Location: 503 Galleria Boulevard  
Rock Hill, SC 29730  
Mailing Address: Same  
County: York  
Previous Orders: None  
Permit/ID Number: 46-1105B  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Kismet Rock Hill, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in York County, South Carolina.



The Department conducted inspections on February 24, 2021, June 21, 2021, July 30, 2021, and October 28, 2021, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: a ladder was not tight and secure; the water level was too low; there was debris in the skimmer baskets; the flow meter was not operational; the chlorine level was not within the acceptable range of water quality standards; the pool rules sign was in disrepair; the “Shallow Water – No Diving Allowed” signs were obstructed; the facility could not produce current valid documentation of pool operator certification; the bound and numbered log book was not available for review on the first inspection; the bound and numbered log book was not maintained on a daily basis, and was not maintained a minimum of three times per week by the pool operator of record on the second inspection; and there were chemical readings in the bound and numbered log book that had been entered in advance on the second inspection.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of two thousand, forty dollars (\$2,040.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, forty dollars (**\$2,040.00**) by February 18, 2022.

Update: The civil penalty has been paid.

17) <u>Order Type and Number:</u>	Consent Order 22-011-RW
<u>Order Date:</u>	February 9, 2022
<u>Individual/Entity:</u>	<b>The Walker’s Ridge Homeowners Association, Inc.</b>
<u>Facility:</u>	Walker’s Ridge
<u>Location:</u>	1366 Ebinport Road Rock Hill, SC 29732
<u>Mailing Address:</u>	233 Homeward Lane Rock Hill, SC 29732
<u>County:</u>	York
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	46-1124B
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: The Walker’s Ridge Homeowners Association, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in York County, South Carolina. The Department conducted inspections on May 20, 2021, July 6, 2021, and August 10, 2021, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: the flow meter was not operating properly; the pH level was not within the acceptable range of water quality standards; the emergency notification device was not operational; the bound and numbered log book was not maintained on a daily basis on the first inspection; and the bound and numbered log book was not available for review on the second inspection.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of one thousand, six hundred eighty dollars (\$1,680.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, six hundred eighty dollars (**\$1,680.00**) by February 19, 2022.

Update: The civil penalty has been paid.

18) Order Type and Number: Consent Order No. 22-012-RW  
Order Date: February 25, 2022  
Individual/Entity: **South Aiken Fitness, Inc.**  
Facility: Max Fitness Aiken  
Location: 101 Corporate Parkway  
Aiken, SC 29803  
Mailing Address: Same  
County: Aiken  
Previous Orders: 21-022-RW (\$680.00)  
Permit/ID Number: 02-1014B  
Violations Cited: S.C. Code Ann. Regs. 61-51(J) & 61-51(K)(1)(c)

Summary: South Aiken Fitness, Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Aiken County, South Carolina. The Department conducted inspections on December 15, 2021, and December 16, 2021, and violations were issued for failure to properly operate and maintain; and on December 16, 2021, a violation was issued 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 chlorine and pH levels were not within the acceptable range of water quality standards; the main drain grates were not visible due to cloudy water; the pool rules sign was not completely filled out; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; only one “Shallow Water – No Diving Allowed” sign was posted; the current pool operator of record information was not posted to the public; the facility could not produce current valid documentation of pool operator certification; the bound and numbered log book was not maintained on a daily basis; and the pool was operating prior to receiving Department approval.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of two thousand dollars (\$2,000.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**) by March 17, 2022.

Update: The civil penalty has been paid.

### **Drinking Water Enforcement**

19) Order Type and Number: Consent Order 22-004-DW  
Order Date: February 1, 2022  
Individual/Entity: **Deep South Plantation, LLC**  
Facility: Deep South Plantation  
Location: 5794 North Jupiter Hill Road  
Adams Run, SC 29426  
Mailing Address: P.O. Box 86  
Adams Run, SC 29426  
County: Charleston  
Previous Orders: None  
Permit/ID Number: 1060067  
Violations Cited: S.C. Code Ann. Regs. 61-58.7 & 61-58.8.B

Summary: Deep South Plantation, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Charleston County, South Carolina. The Department conducted an inspection on November 23, 2021, and the PWS was rated unsatisfactory for failure to properly operate and maintain, and for failure to provide an emergency preparedness plan. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the well did not have a concrete pad, screened air vent, flow meter, or blow-off valve; the well house was in disrepair; the well house was not locked; the wellhead piping was rusted; there was no procedures manual with the associated programs and logs; the well serving the system was not permitted for public supply; and there was no emergency plan.

Action: The Individual/Entity is required to select one of the following two options: submit an application to obtain a permit to construct a public supply well by March 2, 2022, complete the construction within ninety days of the issuance of the permit, and submit a system map, procedures manual, and emergency preparedness plan within thirty days of the date of the issuance of written approval to operate; or submit Notices of Intent and install individual residential wells to serve each service connection by March 2, 2022, and submit Water Well Record Form 1903s within thirty days of completion of the installation of the individual residential wells. The Department has assessed a total civil penalty in the amount of eight thousand dollars (\$8,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of eight thousand dollars (**\$8,000.00**) should any requirement of the Order not be met.

Update: The Individual/Entity hired a professional well drilling company to assess the options and has decided to install individual residential wells.

20) <u>Order Type and Number:</u>	Consent Order 22-005-DW
<u>Order Date:</u>	February 7, 2022
<u>Individual/Entity:</u>	<b>Ellore Commission of Public Works</b>
<u>Facility:</u>	Town of Ellore
<u>Location:</u>	2623 E Cleveland Street Ellore, SC 29047
<u>Mailing Address:</u>	P.O. Box 170 Ellore, SC 29047
<u>County:</u>	Orangeburg
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	3810003
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7 & 61-58.7.D(2)

Summary: Ellore Commission of Public Works (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Orangeburg County, South Carolina. The Department conducted an inspection on December 3, 2021, and the PWS was rated unsatisfactory for failure to properly operate and maintain, and for failure to designate a treatment operator of the appropriate grade to monitor the treatment plant as required. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: there was no sample siting plan; the storage tank had not been inspected as required; there was an old well that was no longer in service that had not been properly abandoned; and the Individual/Entity failed to provide a treatment operator of the appropriate grade to monitor the treatment plant daily.

Action: The Individual/Entity is required to: submit a sample siting plan by March 9, 2022; properly abandoned the old well by May 8, 2022; have the storage tank inspected by a professional tank servicing company by May 8, 2022; and complete the recommendations in the storage tank inspection report within one hundred twenty days of the date of the report. The Department has assessed a total civil penalty in the amount of seven thousand dollars (\$7,000.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**) by March 9, 2022 and pay a stipulated penalty in the amount of four thousand dollars (\$4,000.00) should any requirement of the Order not be met.

Update: The civil penalty has been paid and a sample siting plan has been submitted. On January 5, 2022, the Individual/Entity submitted documentation verifying that they have provided a treatment operator of the appropriate grade.

21) <u>Order Type and Number:</u>	Consent Order 22-006-DW
<u>Order Date:</u>	February 10, 2022
<u>Individual/Entity:</u>	<b>Town of Allendale</b>
<u>Facility:</u>	Town of Allendale
<u>Location:</u>	1296 Main Street Allendale, SC 29810
<u>Mailing Address:</u>	Same
<u>County:</u>	Allendale
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	0310001
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-58.7

Summary: The Town of Allendale (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Allendale County, South Carolina. The Department conducted an inspection on December 1, 2021, and the PWS was rated unsatisfactory for failure to properly operate and maintain. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: there was an old well that was no longer in service that had not been properly abandoned; there was a partially constructed well that was open to the elements; the chlorine cylinder scales and fan in the chlorine room were not operational; a section of the perimeter fencing around the Spruce Street Tank was missing; fire flow records were not provided for Department review; and a procedures manual with monitoring records, programs and logs was not provided for Department review.

Action: The Individual/Entity is required to: correct all of the deficiencies and submit a completed procedures manual by April 1, 2022; properly abandoned the old well and complete construction of the partially constructed well by July 1, 2022; test all of the backflow prevention devices and fire hydrants and submit a copy of the report by August 1, 2022; complete an assessment to identify the location of all of the system valves by September 1, 2022; and repair or replace any inadequate or inoperable valves, backflow prevention devices, and fire hydrants within one hundred twenty days of the date of the Department's approval of the test reports. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

Update: The deficiencies have been addressed and a procedures manual has been completed.

22) Order Type and Number: Consent Order 22-007-DW  
Order Date: February 16, 2022  
Individual/Entity: **Deweese Utility Corporation**  
Facility: Deweese Island  
Location: 273 Old House Lane  
Deweese Island, SC 29451  
Mailing Address: 1324 Moss Path  
Mount Pleasant, SC 29464  
County: Charleston  
Previous Orders: 17-011-DW (\$4,000.00)  
Permit/ID Number: 1050011  
Violations Cited: S.C. Code Ann. Regs. 61-58.5.P(2)(b)

Summary: Deweese Utility Corporation (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Charleston County, South Carolina. On January 6, 2022, and January 11, 2022, a violation was issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the PWS exceeded the maximum contaminant level (MCL) for total trihalomethanes.

Action: The Individual/Entity is required to: submit a corrective action plan with a schedule to address the MCL violation by March 18, 2022. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**) by March 18, 2022.

Update: The civil penalty has been paid and a corrective action plan has been submitted.

### **Water Pollution Enforcement**

23) Order Type and Number: Consent Order 22-009-W  
Order Date: February 3, 2022  
Individual/Entity: **Giant Cement Company**  
Facility: Giant Cement Company WWTF  
Location: 654 Judge Street  
Harleyville, SC 29448  
Mailing Address: P.O. Box 218  
Harleyville, SC  
County: Dorchester  
Previous Orders: 18-019-W (\$6,000.00)  
Permit/ID Number: SC0022667  
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110 (d) (2008 & Supp. 2021) and Water Pollution Control Permits Regulation, S.C. Code Ann Regs. 61-9.122.41(a) (2011), and SC0022667

Summary: Giant Cement Company (Individual/Entity) owns and is responsible for the proper operation and maintenance of its quarry dewatering outfalls and a wastewater treatment facility (WWTF) located in Dorchester County, South Carolina. On June 29, 2020, a Notice of Alleged Violation (NOAV) was issued as a result of lead, selenium, and copper violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to comply with the lead, selenium, and copper effluent limitations of its permit.

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of four thousand, four hundred and eighty dollars (\$4,480.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, four hundred and eighty dollars (**\$4,480.00**) by March 3, 2022.

Update: The Individual/Entity has paid the civil penalty. Order will be closed upon completion of payment being processed.

24) Order Type and Number: Consent Order 22-011-W  
Order Date: February 11, 2022  
Individual/Entity: **The Peninsula at Inlet Point South Owners Association, Inc**  
Facility: Inlet Point South Phase III  
Location: Willbrook Plantation  
Pawleys Island, SC 29585  
Mailing Address: P.O. Box 2308  
Pawleys Island, SC 29585  
County: Georgetown  
Previous Orders: 21-044-W (\$1,000.00)  
Permit/ID Number: ND0074616  
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d) Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.505.41(a), and State Land Application Permit ND0074616.

Summary: The Peninsula at Inlet Point South Owners Association, Inc (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Georgetown County, South Carolina. On November 15, 2021, a Notice of Alleged Violation (NOAV) was issued as a result of fecal coliform (fecal) violations reported on discharge monitoring reports (DMRs) submitted to the Department and for failure to properly submit DMRs for Outfall 002. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to comply with fecal effluent limitations of its State Land Application Permit ND0074616 and failure to submit DMRs for Outfall 002.

Action: The Individual/Entity is required to complete closeout of the WWTF in accordance with a previously approved closeout plan. The Department has assessed a total civil penalty in the amount of five thousand, seven hundred dollars (\$5,700.00). The Individual/Entity shall pay a civil penalty in the amount of five thousand, seven hundred dollars (**\$5,700.00**) by March 13, 2022.

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

25) Order Type and Number: Consent Order 22-012-W  
Order Date: February 16, 2022  
Individual/Entity: **Lennar Carolinas LLC**  
Facility: Tree Tops Construction Site  
Location: 2 miles southeast of Hwy 521 in Lancaster, SC  
Mailing Address: 6701 Carmel Road, Suite 425  
Charlotte, NC 28226  
County: Lancaster  
Previous Orders: None  
Permit/ID Number: SCR10W518  
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-90 (A) (2008 & Supp. 2021) and Water Pollution Control Permits Regulation, S.C. Code Ann Regs. 61-9.122.41(a) and (e) (2011).

Summary: Lennar Carolinas LLC (Individual/Entity) is responsible for land disturbing activities associated with construction located in Lancaster County, South Carolina. On October 18, 2021, a Notice of Alleged Violation (NOAV) was issued as result of unsatisfactory Site conditions observed during Department inspections. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations in that it failed to maintain stormwater management, sediment, and erosion controls in accordance with Department approved plans, and that it discharged sediment into the environment in a manner other than in accordance with its Permit.

Action: The Individual/Entity is required to: complete permanent stabilization of the Site by April 16, 2022 and submit to the Department an approvable and administratively complete Notice of Termination (NOT) within thirty (30) days from achieving complete permanent stabilization. The Department has assessed a total civil penalty in the amount of five thousand, seven hundred dollars (\$5,700.00). The Individual/Entity shall pay a civil penalty in the amount of five thousand, seven hundred dollars (**\$5,700.00**) by March 13, 2022.

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

26) Order Type and Number: Consent Order 22-013-W  
Order Date: February 24, 2022  
Individual/Entity: **Clarendon County**  
Facility: Wyboo Plantation WWTF  
Location: 3180 White Oak Drive  
Manning, SC 29102  
Mailing Address: 411 Sunset Drive  
Manning, SC 29102  
County: Clarendon  
Previous Orders: None  
Permit/ID Number: ND0072427  
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d), Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.505.41(a), and State Land Application Permit ND0072427

Summary: Clarendon County (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Clarendon County, South Carolina. On June 22, 2021, a Notice of Violation (NOV) was

issued as a result of fecal coliform (fecal) violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to comply with the fecal effluent limitations of its State Land Application Permit.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the violations by March 26, 2022; conduct a six (6) monitoring event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of two thousand, eight hundred dollars (\$2,800.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, eight hundred dollars (**\$2,800.00**) by March 26, 2022.

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

27) Order Type and Number: Consent Order 22-014-W  
Order Date: February 24, 2022  
Individual/Entity: **City of Denmark**  
Facility: City of Denmark WWTF  
Location: Treatment Road  
2 miles SSE of Denmark, SC  
Mailing Address: 4768 Carolina Hwy  
Denmark, SC 29042  
County: Bamberg  
Previous Orders: 19-040-W (\$2,800.00)  
Permit/ID Number: SC0040215  
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110(d), Water Pollution Control Permits Regulation, S.C. Code Ann Regs. 61-9.122.41(a), and Part III. A of NPDES Permit SC0040215

Summary: City of Denmark (Individual/Entity) owns and is responsible for a wastewater treatment facility (WWTF) located in Bamberg County, South Carolina. On June 11, 2021, a Notice of Violation (NOV) was issued as a result of Escherichia coli (E. coli) violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and the Water Pollution Control Permits Regulation in that it failed to comply with the permitted effluent limitations for E.coli.

Action: The Individual/Entity is required to: submit written notification of the completion date for all corrective actions necessary to resolve the violations by March 26, 2022; conduct a six (6) monitoring event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**) by March 26, 2022.

Update: None.



**BUREAU OF ENVIRONMENTAL HEALTH SERVICES**

**Food Safety Enforcement**

28) Order Type and Number: Administrative Order 21-14-FOOD  
Order Date: January 18, 2022  
Individual/Entity: **Angelo Dimitriadis**  
Facility: Georgio's of Manning  
Location: 5978 Alex Harvin Highway  
Manning, SC 29102  
Mailing Address: 1155 McKenzie Road  
Manning, SC 29102  
County: Clarendon  
Previous Orders: None  
Permit Number: 14-206-00396  
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Georgio's of Manning (Individual/Entity) is a restaurant located in Clarendon County, South Carolina. The Department conducted inspections on September 28, 2021, October 8, 2021, October 15, 2021, and October 25, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the premises free of insects, rodents, and other pests.

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

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

29) Order Type and Number: Consent Order 21-37-FOOD  
Order Date: February 3, 2022  
Individual/Entity: **Chaac Chicken Southeast LLC DBA Bojangles #951**  
Facility: Chaac Chicken Southeast LLC DBA Bojangles #951  
Location: 656 Highway 28 Bypass  
Anderson, SC 29626  
Mailing Address: 7750 N. MacArthur Blvd., Suite 120-223  
Irving, TX 75063  
County: Anderson  
Previous Orders: None  
Permit Number: 04-206-04728  
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Chaac Chicken Southeast LLC, DBA Bojangles #951 (Individual/Entity) operates a restaurant located in Anderson County, South Carolina. The Department conducted inspections on September 29, 2021, October 7, 2021, October 14, 2021, December 9, 2021, December 16, 2021, December 23, 2021, December 31, 2021, and January 7, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the premises free of insects, rodents, and other pests.

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

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

30) <u>Order Type and Number:</u>	Consent Order 22-05-FOOD
<u>Order Date:</u>	February 7, 2022
<u>Individual/Entity:</u>	<b>Waffle House #1820</b>
<u>Facility:</u>	Waffle House #1820
<u>Location:</u>	309 North Highway 52 Moncks Corner, SC 29461
<u>Mailing Address:</u>	P.O. Box 6450 Norcross, GA 30091
<u>County:</u>	Berkeley
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	08-206-06623
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Waffle House #1820 (Individual/Entity) operates a restaurant located in Berkeley County, South Carolina. The Department conducted inspections on December 30, 2021, January 7, 2022, and January 14, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

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

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

31) <u>Order Type and Number:</u>	Consent Order 22-03-FOOD
<u>Order Date:</u>	February 8, 2022
<u>Individual/Entity:</u>	<b>5 Star Market</b>

<u>Facility:</u>	5 Star Market
<u>Location:</u>	37 East Main Street Andrews, SC 29510
<u>Mailing Address:</u>	Same
<u>County:</u>	Georgetown
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	22-206-06527
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: 5 Star Market (Individual/Entity) operates a retail food establishment located in Georgetown County, South Carolina. The Department conducted inspections on September 15, 2021, September 24, 2021, October 4, 2021, October 14, 2021, October 21, 2021, October 29, 2021, November 8, 2021, November 18, 2021, and November 29, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to provide water at a temperature of at least 100°F through a mixing valve or combination faucet at the handwashing sink(s); failed to provide individual disposable towels at each hand washing sink or group of adjacent handwashing sinks; failed to ensure that except for containers holding food that can be readily and unmistakably recognized such as dry pasta, working containers holding food or food ingredients that are removed from their original packages for use in the food establishment, such as cooking oils, flour, herbs, potato flakes, salt, spices, and sugar shall be identified with the common name of the food; and failed to provide a test kit or other device that accurately measures the concentration of MG/L of sanitizing solutions.

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

Update: The Department mailed a payment demand letter by certified and first-class mail on March 18, 2022 giving the Individual/Entity ten (10) days from receipt of the notice to pay the full amount of the civil penalty. If payment is not received the Department will move forward with the intent to suspend the retail food service permit.

32) <u>Order Type and Number:</u>	Consent Order 22-07-FOOD
<u>Order Date:</u>	February 8, 2022
<u>Individual/Entity:</u>	<b>Flaming Grill Supreme Buffet</b>
<u>Facility:</u>	Flaming Grill Supreme Buffet
<u>Location:</u>	115 Afton Court Columbia, SC 29212
<u>Mailing Address:</u>	Same
<u>County:</u>	Lexington
<u>Previous Orders:</u>	2017-206-03-010 (\$800.00); 2017-206-03-101 (\$1,200.00); 2018-206-03-137 (\$2,000.00); 2019-206-03-006 (\$1,250.00); 2019-206-03-018 (\$1,250.00); 21-12-FOOD (\$1,000.00); 21-28-FOOD (\$2,750.00)
<u>Permit Number:</u>	32-206-06518
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: Flaming Grill Supreme Buffet (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted inspections on October 4, 2021, October 13, 2021, and October 21, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to properly cool cooked time/temperature control for safety foods; failed to use effective methods to cool cooked time/temperature control for safety foods; and failed to ensure that time/temperature control for safety was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of one thousand, two hundred fifty dollars (\$1,250.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand, two hundred fifty dollars (**\$1,250.00**).

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

33)	<u>Order Type and Number:</u>	Consent Order 21-33-FOOD
	<u>Order Date:</u>	February 11, 2022
	<u>Individual/Entity:</u>	<b>San Jose</b>
	<u>Facility:</u>	San Jose
	<u>Location:</u>	1475 Old Orangeburg Road Lexington, SC 29073
	<u>Mailing Address:</u>	252 Meadowbrook Lane Lexington, SC 29072
	<u>County:</u>	Lexington
	<u>Previous Orders:</u>	2018-206-03-024 (\$1,600.00) 2019-206-03-084 (\$1,000.00)
	<u>Permit Number:</u>	32-206-05903
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-25

Summary: San Jose (Individual/Entity) operates a restaurant located in Lexington County, South Carolina. The Department conducted inspections on November 9, 2021, November 19, 2021, and November 23, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

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

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

34)	<u>Order Type and Number:</u>	Consent Order 21-16-FOOD
	<u>Order Date:</u>	February 14, 2022

Individual/Entity: **IHOP #419**  
Facility: IHOP #419  
Location: 1031 Assembly Street  
Columbia, SC 29201  
Mailing Address: 4515 LBJ Freeway  
Dallas, TX 75244  
County: Richland  
Previous Orders: None  
Permit Number: 40-206-08865  
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: IHOP #419 (Individual/Entity) operates a restaurant located in Richland County, South Carolina. The Department conducted inspections on September 28, 2021, October 6, 2021, October 15, 2021, and October 22, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to maintain the premises free of insects, rodents, and other pests.

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

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

35) Order Type and Number: Consent Order 21-34-FOOD  
Order Date: February 14, 2022  
Individual/Entity: **Reggae Grill**  
Facility: Reggae Grill  
Location: 910B Holland Avenue  
Cayce, SC 29033  
Mailing Address: Same  
County: Lexington  
Previous Orders: 21-11-FOOD  
Permit Number: 32-206-06744  
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Reggae Grill (Individual/Entity) operates a restaurant located in Lexington County, South Carolina. The Department conducted inspections on September 13, 2021, September 22, 2021, November 4, 2021, November 10, 2021, November 19, 2021, and November 24, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to properly cool cooked time/temperature control for safety foods; failed to ensure that time/temperature control for safety was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling; and failed to ensure that refrigerated, ready-to-eat, time/temperature control for safety foods were discarded if the temperature and time combination exceeded seven (7) days or if the package was not properly date marked.

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-

25. The Department has assessed a total civil penalty in the amount of four thousand, two hundred fifty dollars (\$4,250.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, two hundred fifty dollars (**\$4,250.00**).

Update: The Department has entered into a payment plan with the Individual/Entity for the civil penalty. The Individual/Entity is current on the agreed upon payment plan.

36) Order Type and Number: Consent Order 22-01-FOOD  
Order Date: February 14, 2022  
Individual/Entity: **Fatz**  
Facility: Fatz  
Location: 942 E. Main Street  
Lexington, SC 29072  
Mailing Address: 1361 W. Wade Hampton Boulevard  
Suite F, Box 6  
Greer, SC 29650  
County: Lexington  
Previous Orders: None  
Permit Number: 32-206-06971  
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Fatz (Individual/Entity) operates a restaurant located in Lexington County, South Carolina. The Department conducted inspections on July 1, 2021, November 15, 2021, and December 14, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that time/temperature control for safety was maintained at a temperature of 41 degrees F and below or 135 degrees F and above, except during preparation, cooking, or cooling.

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

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

37) Order Type and Number: Consent Order 22-04-FOOD  
Order Date: February 16, 2022  
Individual/Entity: **Chaac Chicken Southeast LLC DBA Bojangles #912**  
Facility: Chaac Chicken Southeast LLC DBA Bojangles #912  
Location: 4131 Clemson Boulevard  
Anderson, SC 29621  
Mailing Address: 7750 N. MacArthur Blvd., Suite 120-223  
Irving, TX 75063  
County: Anderson  
Previous Orders: None  
Permit Number: 04-206-04727

Violations Cited:

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

Summary: Chaac Chicken Southeast LLC, DBA Bojangles #912 (Individual/Entity), operates a restaurant located in Anderson County, South Carolina. The Department conducted inspections on June 25, 2021, October 7, 2021, October 14, 2021, October 28, 2021, December 1, 2021, January 7, 2022, and January 14, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to ensure that physical facilities were maintained in good repair, and failed to ensure that materials for indoor floor, wall, and ceilings surfaces under conditions of normal use shall be smooth, durable, and easily cleanable for areas where retail food establishment operations are conducted.

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

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

38) Order Type and Number: Consent Order 21-25-FOOD  
Order Date: February 23, 2022  
Individual/Entity: **El Mercadito Chiapaneco**  
Facility: El Mercadito Chiapaneco  
Location: 1801 A Parkview Drive  
Conway, SC 29526  
Mailing Address: Same  
County: Horry  
Previous Orders: None  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: El Mercadito Chiapaneco (Individual/Entity) operates a restaurant located in Horry County, South Carolina. The Department conducted an inspection on October 29, 2021. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: providing food to the public without a valid permit issued by the Department.

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

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

39) Order Type and Number: Consent Order 22-09-FOOD  
Order Date: February 24, 2022  
Individual/Entity: **Fatz**

Facility: Fatz  
Location: 1302 Montague Avenue  
Greenwood, SC 29649  
Mailing Address: 1361 W. Wade Hampton Boulevard  
Suite F, #6  
Greer, SC 29650  
County: Greenwood  
Previous Orders: None  
Permit Number: 24-206-03159  
Violations Cited: S.C. Code Ann. Regs. 61-25

Summary: Fatz (Individual/Entity) operates a restaurant located in Greenwood County, South Carolina. The Department conducted inspections on June 21, 2021, January 11, 2022, and January 20, 2022. The Individual/Entity has violated the South Carolina Retail Food Establishment Regulation as follows: failed to convey sewage to the point of disposal through an approved sanitary sewage system or other system, including use of sewage transport vehicles, waste retention tanks, pumps, pipes, hoses, and connections that are constructed, maintained, and operated according to law.

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

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

### **On-Site Wastewater Enforcement**

40) Order Type and Number: Administrative Order 21-068-OSWW  
Order Date: January 18, 2022  
Individual/Entity: **Janet Moore**  
Facility: Janet Moore  
Location: 316 Browning Road  
Central, SC 29630  
Mailing Address: Same as Location  
County: Pickens  
Previous Orders: None  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Janet Moore (Individual/Entity) owns property located in Pickens County, South Carolina. The Department conducted an investigation on October 15, 2021 and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.



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

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

41) Order Type and Number: Administrative Order 21-069-OSWW  
Order Date: January 18, 2022  
Individual/Entity: **Douglas Hart and Terry Hart**  
Facility: Douglas Hart and Terry Hart  
Location: 235 Latonea Drive  
Columbia, SC 29210  
Mailing Address: 464 Woods Point Road  
Gilbert, SC 29054  
County: Richland  
Previous Orders: None  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Douglas Hart and Terry Hart (Individual/Entity) own property located in Richland County, South Carolina. The Department conducted an investigation on October 8, 2021 and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

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

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

42) Order Type and Number: Administrative Order 21-072-OSWW  
Order Date: January 18, 2022  
Individual/Entity: **Brian Hunt and Melissa Hunt**  
Facility: Brian Hunt and Melissa Hunt  
Location: 120 Eternal Lane  
Summerville, SC 29485  
Mailing Address: Same as Location  
County: Dorchester

Previous Orders: None  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Brian Hunt and Melissa Hunt (Individual/Entity) own property located in Dorchester County, South Carolina. The Department conducted an investigation on October 26, 2021 and observed domestic wastewater discharging onto the surface of the ground as well as campers being occupied for more than two hours per day without being connected to an approved method of domestic wastewater treatment and disposal. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

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

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

43) Order Type and Number: Administrative Order 21-073-OSWW  
Order Date: January 18, 2022  
Individual/Entity: **Elbert Ezell Phillips, Jr.**  
Facility: Elbert Ezell Phillips, Jr.  
Location: 181 Hilltop View  
Union, SC 29379  
Mailing Address: Same as Location  
County: Union  
Previous Orders: None  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Elbert Ezell Phillips, Jr. (Individual/Entity) owns property located in Union County, South Carolina. The Department conducted an investigation on September 22, 2021 and observed domestic wastewater discharging onto the surface of the ground as well as a camper being occupied for more than two hours per day without being connected to an approved method of domestic wastewater treatment and disposal. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

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

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

Update: On March 25, 2022, this case was referred to OGC for a petition and complaint to be filed in the Administrative Law Court.

44) Order Type and Number: Administrative Order 21-074-OSWW  
Order Date: January 18, 2022  
Individual/Entity: **Mark Hall and Pamela Hall**  
Facility: Mark Hall and Pamela Hall  
Location: 102 Pinewood Drive  
Williamston, SC 29697  
Mailing Address: Same as Location  
County: Anderson  
Previous Orders: None  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-56

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

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

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

45) Order Type and Number: Administrative Order 21-075-OSWW  
Order Date: January 18, 2022  
Individual/Entity: **Michael Copeland**  
Facility: Michael Copeland  
Location: 205 Bailey Road  
Buffalo, SC 29321  
Mailing Address: 151 Bailey Road  
Buffalo, SC 29321  
County: Union  
Previous Orders: None  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Michael Copeland (Individual/Entity) owns property located in Union County, South Carolina. The Department conducted an investigation on September 22, 2021 and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

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

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

46) <u>Order Type and Number:</u>	Administrative Order 22-001-OSWW
<u>Order Date:</u>	January 18, 2022
<u>Individual/Entity:</u>	<b>Judy Scruggs</b>
<u>Facility:</u>	Judy Scruggs
<u>Location:</u>	134 Mani Street Cowpens, SC 29330
<u>Mailing Address:</u>	Same as Location
<u>County:</u>	Spartanburg
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: Judy Scruggs (Individual/Entity) owns property located in Spartanburg County, South Carolina. The Department conducted an investigation on December 14, 2021 and observed domestic wastewater discharging onto the surface of the ground from a camper being occupied for more than two hours per day without being connected to an approved method of domestic wastewater treatment and disposal. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

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

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

47) Order Type and Number: Administrative Order 22-002-OSWW  
Order Date: January 24, 2022  
Individual/Entity: **Mildred Dailey and Twenty-Four Tigers, LLC**  
Facility: Mildred Dailey and Twenty-Four Tigers, LLC  
Location: 1140 Old Georgia Road  
Roebuck, SC 29376  
Mailing Address: 400 Mills Avenue #407  
Greenville, SC 29605  
County: Spartanburg  
Previous Orders: None  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Mildred Dailey and Twenty-Four Tigers, LLC (Individual/Entity) own property located in Spartanburg County, South Carolina. The Department conducted an investigation on June 3, 2021 and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

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

Update: On March 2, 2022, Department personnel confirmed with the contractor that repairs have been completed. On March 7, 2022, Department staff visited the site and confirmed the discharge had ceased.

48) Order Type and Number: Administrative Order 22-005-OSWW  
Order Date: February 3, 2022  
Individual/Entity: **Cheryl Starnes**  
Facility: Cheryl Starnes  
Location: 2100 Robert H. Kirk Road  
Lancaster, SC 29720  
Mailing Address: Same  
County: Lancaster  
Previous Orders: None  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Cheryl Starnes (Individual/Entity) owns property located in Lancaster County, South Carolina. The Department conducted an investigation on November 9, 2021 and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

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

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

49) <u>Order Type and Number:</u>	Consent Order 21-070-OSWW
<u>Order Date:</u>	February 3, 2022
<u>Individual/Entity:</u>	<b>David John Herrington, DBA Herrington's Since 1986, LLC</b>
<u>Facility:</u>	David John Herrington, D/B/A Herrington's Since 1986, LLC
<u>Location:</u>	Black Bird Road Loris, SC 29569
<u>Mailing Address:</u>	2216 Joyner Swamp Road Galivants Ferry, SC 29544
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit Number:</u>	None
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-56

Summary: David John Herrington, DBA Herrington's Since 1986, LLC, (Individual/Entity) installed an OSWW system at a property located in Horry County, South Carolina. The Department conducted an inspection on October 22, 2021. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: installed the OSWW system outside the parameters of the Department issued permit to construct.

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

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

50) <u>Order Type and Number:</u>	Consent Order 21-071-OSWW
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Order Date: February 9, 2022  
Individual/Entity: **Home Comfort Systems, LLC**  
Facility: Home Comfort Systems, LLC  
Location: 87 Donovan Drive  
Cross Hill, SC 29332  
Mailing Address: 615 Saddle Hill Road  
Greenwood, SC 29647  
County: Laurens  
Previous Orders: None  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Home Comfort Systems, LLC (Individual/Entity) installed an OSWW system at property located in Lexington County, South Carolina. The Department conducted an inspection on September 1, 2021. The Individual/Entity does not hold a Department issued license to repair and construct OSWW systems. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: engaged in the business of constructing and repairing onsite sewage treatment systems without first applying for, receiving, and subsequently maintaining a valid license to conduct such activities, as required by the Department.

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

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

51) Order Type and Number: Consent Order 21-076-OSWW  
Order Date: February 9, 2022  
Individual/Entity: **Lloyd Cobb, DBA Cobb Construction, LLC**  
Facility: Lloyd Cobb, DBA Cobb Construction, LLC  
Location: Sites in Spartanburg County  
Mailing Address: P. O. Box 1687  
Gaffney, SC 29342  
County: Spartanburg  
Previous Orders: 21-042-OSWW  
Permit Number: None  
Violations Cited: S.C. Code Ann. Regs. 61-56.1

Summary: Lloyd Cobb, DBA Cobb Construction, LLC (Individual/Entity) holds a Department issued Master Contractor's license, License # 11-366-11002. The Department conducted an investigation on September 21, 2021 and determined that several Approval to Operate Contractor Self-Inspection forms were submitted later than the required time frame and no final inspection was scheduled for the sites. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to arrange with the Department a time for a final inspection of an OSWW system that is being installed; and failed to submit to the Department the

required documentation for the installed OSWW system, the Approval to Operate Contractor Self-Inspection form, within the timeframe specified in Regulation 61-56.2.

Action: The Individual/Entity is required to immediately cease and desist installing OSWW systems without first contacting the Department to schedule a final inspection as well as ensure the required paperwork is submitted to the Department in-line with the regulatory requirements. Finally, within thirty (30) days of the order, pay to the Department a civil penalty for the violations. The Department has assessed a total civil penalty in the amount of nine thousand dollars (\$9,000.00). The Individual/Entity shall pay a civil penalty in the amount of nine thousand dollars **(\$9,000.00)**.

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

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