

EQC ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
March 14, 2013

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Consent Order 12-0441-UST
Order Date: January 15, 2013
Respondent: **Evans Petroleum Company, Inc.**
Facility: South Main Express
Location: 400 South Main Street
Lancaster, SC 29720-3654
Mailing Address: 605 South Market Street
Lancaster, SC 29720-3630
County: Lancaster
Previous Orders: None
Permit/ID Number: 05547
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and
Supp. 2011), and the South Carolina Underground Storage Tank Control
Regulation 61-92.280.20(c)(1)(ii) (Supp. 2011).

Summary: Evans Petroleum Company, Inc. (Respondent) owns and operates underground storage tanks (USTs) in Lancaster County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to equip an underground storage tank with overfill protection.

Action: The Respondent is required to: pay a civil penalty in the amount of five hundred dollars (**\$500.00**). All violations were corrected prior to the issuance of the Order.

- 2) Order Type and Number: Consent Order 12-0507-UST
Order Date: January 7, 2013
Respondent: **Krishna of Swansea, Inc.**
Facility: Tiger Stop
Location: 495 South Church St.
Swansea, SC 29160
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: 06150

Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and Supp. 2010), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.93(a) and R.61-92.280.110(c) (Supp. 2011).

Summary: Krishna of Swansea, Inc. (Respondent) owns and operates underground storage tanks (USTs) in Lexington County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to demonstrate financial responsibility and failure to submit updated financial responsibility documentation, upon expiration of the previous mechanism.

Action: The Respondent is required to: pay a civil penalty in the amount of six hundred dollars (**\$600.00**). All violations were corrected prior to the issuance of the Order.

3) Order Type and Number: Consent Order 12-0510-UST
Order Date: January 8, 2013
Respondent: **Kenneth Graham**
Facility: Green Acres Farm
Location: 2374 Hughey Ferry Road
Pomaria, SC 29126
Mailing Address: Same
County: Newberry
Previous Orders: None
Permit/ID Number: 10082
Violations Cited: State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act) (Rev. 2002 and Supp. 2010), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.93(a) and R.61-92.280.110(c) (Supp. 2011).

Summary: Kenneth Graham (Respondent) owns and operates underground storage tanks (USTs) in Newberry County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to demonstrate financial responsibility and failure to submit updated financial responsibility documentation, upon expiration of the previous mechanism.

Action: The Respondent is required to: submit a completed Certificate of Financial Responsibility; proof of a financial responsibility mechanism; and, pay a civil penalty in the amount of eight hundred fifty dollars (**\$850.00**).

4) Order Type and Number: Consent Order 12-0530-UST
Order Date: January 7, 2013

Respondent: **Patel & Company, Inc.**
Facility: Pauline General Store
Location: 2610 Highway 56
Pauline, SC 29374
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: 18998
Violations Cited: State Underground Petroleum
Environmental Response Bank Act of 1988 (SUPERB Act) (2002 and
Supp. 2011), and the South Carolina Underground Storage Tank Control
Regulation 61-92.280.93(a) and R. 61-92.280.110(c) (Supp. 2011).

Summary: Patel & Company, Inc. (Respondent) owns and operates underground storage tanks (USTs) in Spartanburg County, South Carolina, and has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to demonstrate financial responsibility and failure to provide financial responsibility to the Department upon request, upon expiration of the previous mechanism.

Action: The Respondent is required to: pay a civil penalty in the amount of six hundred dollars (**\$600.00**).

Hazardous Waste Enforcement

5) Order Type and Number: Consent Order 13-01-HW
Order Date: January 30, 2013
Respondent: **Horsehead Corporation d/b/a
Horsehead Recycling**
Facility: Horsehead Corporation d/b/a
Horsehead Recycling
Location: 941 Technology Drive
Barnwell, SC 29812
Mailing Address: Same
County: Barnwell
Previous Orders: None
Permit/ID Number: SCR 000 771 618
Violations Cited: The South Carolina Hazardous
Waste Management Act §44-56-130(2); The South Carolina Hazardous
Waste Management Regulation 61-79.265.78(b).

Summary: Horsehead Recycling (Respondent) owns and operates a zinc recycling facility located in Barnwell, South Carolina. The Respondent violated the Hazardous Waste Management Regulations as follows: failure to ensure that a

check is made payable to the Department for payment of a fee of \$1.00 per ton of hazardous wastes in excess of fifty (50) tons remaining in storage at the end of the reporting period.

Action: The Respondent has agreed to: pay to the Department a fee of \$1.00 per ton for the amount of hazardous waste in storage in excess of 50 tons remaining at the end of each calendar quarter for the period beginning 1st quarter 2011 through 3rd quarter 2011 with accompanying documentation used by Horsehead to determine the dollar amount and pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

Infectious Waste Enforcement

- 6) Order Type and Number: Consent Order 13-01-IW
Order Date: January 15, 2013
Respondent: **Medical Waste Services, LLC**
Facility: Medical Waste Services, LLC
Location: 2659 TV Road
Florence, SC 29501
Mailing Address: P.O. Box 1751
Mt. Pleasant, SC 29465
County: Florence
Previous Orders: None
Permit/ID Number: SC43-04T
Violations Cited: The South Carolina Infectious Waste Management Act §44-93-30 and the South Carolina Infectious Waste Management Regulation 61-105.Q(1)(g)(i-iii); R.61-105.Q(1)(h); and, R.61-105.CC(1).

Summary: Medical Waste Services, LLC (Respondent) is an infectious waste transporter and has a transportation terminal located at 2659 TV Road in Florence, South Carolina. The Respondent violated the Infectious Waste Management Regulations as follows: failure to ensure that identification is permanently affixed to the cargo-carrying body of the transport vehicle on two sides and the back in letters that are a minimum of three (3) inches in height and state the registered name of the transporter, the transporter's Department issued registration number, and the words infectious waste, medical waste, or biohazardous waste; failure to ensure that the biohazard symbol sign be permanently affixed to the cargo-carrying body of the transport vehicle on two sides and the front and back; and, failure to submit a written petition requesting a variance from one or more specific provisions of these regulations.

Action: The Respondent has agreed to: ensure that infectious waste transport vehicles are labeled and maintained in accordance with the regulations

or request a variance from the Department when necessary; submit to the Department a written petition to request a variance from the regulations, if a variance is necessary; and, pay a civil penalty in the amount of three thousand, three hundred dollars (**\$3,300.00**).

Radioactive Waste Enforcement

- 7) Order Type and Number: Consent Order 12-02-RW
Order Date: January 11, 2013
Respondent: **SCE&G – V.C. Summer Nuclear Station**
Facility: V.C. Summer Nuclear Station
Location Address: 740 Osborn Road
Barnwell, SC
Mailing Address: P.O. Box 88
Jenkinsville, SC 29065
County: Fairfield
Previous Orders: 10-01-RW (\$5,000.00)
Permit/ID Number: 0163-39-12-X
Violations Cited: South Carolina Radioactive Waste Transportation and Disposal Act; Transportation of Radioactive Waste Regulation 61-83, Sections 1.2, 7.1.1 and 7.1.2 (Supp.2011).

Summary: SCE&G – V.C. Summer Nuclear Station (Respondent) operates the V.C. Summer Nuclear Station, located in Jenkinsville, South Carolina, and has violated the South Carolina Radioactive Waste Transportation and Disposal Act and Regulation 61-83 as follows: the steel liner of the disposal container had more liquid remaining after the shipment of dewatered resin had been removed than the amount allowed by the disposal facility's Radioactive Material License.

Action: The Respondent is required to: pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**).

Solid Waste Enforcement

- 8) Order Type and Number: Administrative Order 12-11-SW
Order Date: October 23, 2012
Respondents: **Walter McLeod d.b.a. McLeod Waste Oil**
Facility: McLeod Waste Oil
Location: 5101 Bacon Hill Road

Mailing Address: Pinewood, SC
County: Same
Previous Orders: Sumter
Permit/ID Number: None
Violations Cited: UOT-SCD981932213
South Carolina Solid Waste Policy and Management Act of 1991 (Rev. 2002), and Solid Waste Management: Used Oil Regulation 61-107.279 (Supp. 2011).

Summary: Walter McLeod d.b.a. McLeod Waste Oil (Respondent) is a used oil transporter based in Pinewood, South Carolina. The Respondent failed to submit an annual report for calendar year 2011, in violation of the Solid Waste Management: Used Oil Regulation that requires the Respondent to submit an annual report for each calendar year.

Action: The Respondent is required to: submit a complete annual report for calendar year 2011 and pay a civil penalty in the amount of two thousand, eight hundred dollars (**\$2,800.00**).

9) Order Type and Number: Consent Order 12-17-SW
Order Date: January 11, 2013
Respondent: **Bennett's Landfill, Inc.**
Facility: Bennett's Class Two Landfill
Location Address: 4399 Pinckney Road
Chester, SC
Mailing Address: P.O. Box 1029
Fort Mill, SC 29716
County: Chester
Previous Orders: 10-20-SW (Consent Agreement)
Permit/ID Number: 122493-1601
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (Rev. 2002); the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation 61-107.19 (Supp. 2011); and, Permit #122493-1601.

Summary: Bennett's Landfill, Inc. (Respondent) owns and operates a Class Two landfill, located in Chester, South Carolina, and has violated the South Carolina Solid Waste Policy and Management Act of 1991, Solid Waste Landfills and Structural Fill Regulation, and Permit #122493-1601 as follows: failure to cover all exposed waste on the working face of the Landfill at least every thirty days; failure to ensure that all slopes of the active working face were 3:1; and, failure to submit a certification from a Professional Engineer registered in the State of South Carolina showing that the total surface area within the permitted waste disposal footprint that was not deemed officially closed by the Department was equal to or less than 3.5 acres.

Action: The Respondent is required to: close at least 9.5 acres of open surface area within the permitted waste disposal footprint of the Landfill and submit certification of closure; upon closure of the area, ensure that the final grades are consistent with the permitted final elevations for the Landfill; notify the Bureau of Air Quality prior to excavating or otherwise disturbing any asbestos containing waste material that has been deposited at the Landfill and covered; ensure that all slopes of the active working face of the Landfill are 3:1; cover all exposed waste on the active working face of the Landfill; pay a civil penalty in the amount of thirteen thousand, one hundred twenty-five dollars (**\$13,125.00**) in accordance with a promissory note; and, pay a suspended penalty in the amount of thirteen thousand, one hundred twenty-five dollars (\$13,125.00) should the Respondent fail to meet any requirement of the Order.

- 10) Order Type and Number: Consent Order 12-18-SW
Order Date: January 7, 2013
Respondent: **David Privette d.b.a. Privette Enterprises, Inc.**
Facility: Poole Property
Location Address: 1119 Fort Mill Highway
Indian Land, SC
Mailing Address: 5708 Old Monroe Road
Indian Trail, NC 28079
County: Lancaster
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: South Carolina Solid Waste Policy and Management Act of 1991 (Rev. 2002) and the Solid Waste Management: Yard Trash and Land-Clearing Debris; and Compost Regulation 61-107.4 (Supp. 2011).

Summary: David Privette d.b.a. Privette Enterprises, Inc. (Respondent) operated a composting/wood chipping facility, located in Indian Land, South Carolina, and has violated the South Carolina Solid Waste Policy and Management Act of 1991 and Solid Waste Management: Yard Trash and Land-Clearing Debris; and Composting Regulation as follows: failure to obtain a registration prior to the operation of a composting and/or wood chipping facility.

Action: The Respondent is required to: immediately cease all wood chipping activities that require a registration from the Department; remove all unprocessed land-clearing debris from the Site and submit proof of disposition; and, pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**) in accordance with the terms of a promissory note.

BUREAU OF WATER

Drinking Water Enforcement

- 11) Order Type and Number: Consent Order 12-095-DW
Order Date: January 11, 2013
Respondent: **Oam Sai Ram, Inc.**
Facility: Americas Best Value Inn
Location: 904 Radford Boulevard
Dillon, SC 29536
Mailing Address: Same
County: Dillon
Previous Orders: None
Permit/ID Number: 17-017-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Oam Sai Ram, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: the depth markers did not have four inch "FT" tiles; chlorine pucks were in the skimmer basket; the pool light was defective in that the wires were exposed; the main drain grates were not visible; the emergency phone was not operational; the United States Coast Guard approved life ring did not have a permanent rope attached; the pool rules sign was not completely filled out; the pool operator of record information was not posted; and the bound and numbered log book was not maintained daily. A violation was issued for failure to properly operate and maintain the pool on one occasion.

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

- 12) Order Type and Number: Consent Order 12-096-DW
Order Date: January 9, 2013
Respondent: **Ocean Pier Homeowners Association, Inc.**
Facility: Ocean Pier IV
Location: 3610 South Ocean Boulevard
North Myrtle Beach, SC 29582
Mailing Address: 211 Highway 17 North Suite 105
North Myrtle Beach, SC 29582
County: Horry
Previous Orders: None

Permit/ID Number: 26-647-1
Violations Cited: S.C. Code Ann. Regs. 61-51(I)

Summary: Ocean Pier Homeowners Association, Inc. (Respondent) owns and is responsible for the modification of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: failed to submit a Swimming Pool Change Order Request Form prior to modifying the pool. An ionization unit was installed on the filtration system. The ionization unit has been removed.

Action: The Respondent is required to: pay a civil penalty in the amount of four hundred dollars (**\$400.00**).

13) Order Type and Number: Consent Order 12-097-DW
Order Date: January 9, 2013
Respondent: **Atlantic Pools of Hilton Head, Inc.**
Facility: Oaks Apartments
Location: 100 Riverchase Boulevard
Beaufort, SC 29906
Mailing Address: P.O. Box 5927
Hilton Head Island, SC 29938
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-055-1
Violations Cited: S.C. Code Ann. Regs. 61-51(I)

Summary: Atlantic Pools of Hilton Head, Inc. (Respondent) is responsible for the modification of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: failed to submit a Swimming Pool Change Order Request Form prior to modifying the pool. The pool was re-plastered and the color was changed. A Swimming Pool Change Order Request Form was submitted following the conference. A follow-up inspection was conducted and Department staff approved the modification.

Action: The Respondent is required to: pay a civil penalty in the amount of two hundred dollars (**\$200.00**).

14) Order Type and Number: Consent Order 13-001-DW
Order Date: January 23, 2013
Respondent: **Synergy Group Enterprises, LLC**
Facility: Lifequest Swim and Fitness
Location: 1950 Arundel Road
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry

Previous Orders: None
Permit/ID Number: 26-F59-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Synergy Group Enterprises, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards; the handrails were loose; there was excessive algae growth on the pool walls; the skimmers were not accessible because the covers could not be opened; the pH level was not within the acceptable range of water quality standards; the United States Coast Guard approved life ring was not in compliance due to excessive deterioration; the pool rules sign was missing; the pool operator of record information was not posted; two "No Lifeguard On Duty - Swim At Your Own Risk" signs were not posted; and the disinfection equipment was not operating. A violation was issued for failure to properly operate and maintain the pool on one occasion.

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

15) Order Type and Number: Consent Order 13-002-DW
Order Date: January 7, 2013
Respondent: **Island Pool and Landscape Service Incorporated**
Facility: Seabrook Landing
Location: 12 Seabrook Landing Drive
Hilton Head, SC 29926
Mailing Address: P.O. Box 24157
Hilton Head Island, SC 29926
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-492-1
Violations Cited: S.C. Code Ann. Regs. 61-51(I)

Summary: Island Pool and Landscape Service Incorporated (Respondent) is responsible for the modification of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: failed to submit a Swimming Pool Change Order Request Form prior to modifying the pool. A saline system was installed to replace the permitted chlorination system. The saline system has been removed and the original disinfection equipment re-installed.

Action: The Respondent is required to: pay a civil penalty in the amount of two hundred eighty dollars (**\$280.00**).

16) Order Type and Number: Consent Order 13-003-DW
Order Date: January 7, 2013
Respondent: **Chimney Ridge Partners II,
Limited Partnership**
Facility: Chimney Ridge Apartments
Location: 300 Palmetto Park Boulevard
Lexington, SC 29072
Mailing Address: Same
County: Lexington
Previous Orders: None
Permit/ID Number: 32-168-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Chimney Ridge Partners II, Limited Partnership (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: the pool wall had cracks in it; the pH level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the pool rules sign was not completely filled out; the pool operator of record information was not posted; the bound and numbered log book was not maintained daily; and the chlorinator was leaking. A violation was issued for failure to properly operate and maintain the pool on one occasion.

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

17) Order Type and Number: Consent Order 13-004-DW
Order Date: January 23, 2013
Respondent: **GWD Hospitality Group, LLC**
Facility: Fairfield Inn & Suites
Location: 527 Bypass 72 Northwest
Greenwood, SC 29649
Mailing Address: 109 Destination Boulevard
Anderson, SC 29621
County: Greenwood
Previous Orders: None
Permit/ID Number: 24-1004D
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: GWD Hospitality Group, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a spa. The Respondent has violated the Public Swimming Pools Regulation as follows: the bromine level was not within the acceptable range of water quality standards; and, the pH level

was not within the acceptable range of water quality standards. A violation was issued for failure to properly operate and maintain the spa on three occasions.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of one thousand six hundred eighty dollars (**\$1,680.00**). A follow-up inspection has been conducted and all of the deficiencies have been corrected.

18) Order Type and Number: Consent Order 13-005-DW
Order Date: January 15, 2013
Respondent: **Mid-America Apartment Communities, Inc.**
Facility: Howell Commons Apartments
Location: 150 Howell Circle
Greenville, SC 29615
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit/ID Number: 23-300-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Mid-America Apartment Communities, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards; the pH level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the pool rules sign was not completely filled out; the pool operator of record information was not posted; the bound and numbered log book was not maintained daily; and, the recirculation and filtration system was not operating. A violation was issued for failure to properly operate and maintain the pool on one occasion.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of four hundred dollars (**\$400.00**). A follow-up inspection has been conducted and all of the deficiencies have been corrected.

19) Order Type and Number: Consent Order 13-006-DW
Order Date: January 28, 2013
Respondent: **Wyndham Vacation Resorts, Inc.**
Facility: Wyndham Ocean Ridge Resort–
Marsh Pointe

Location: 1 King Cotton Road
Edisto Island, SC 29438
Mailing Address: 6650 Rivers Avenue
North Charleston, SC 29406
County: Colleton
Previous Orders: 11-002-DW (\$420.00 assessed and
\$1,250.00 stipulated)
Permit/ID Number: 15-029-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Wyndham Vacation Resorts, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: the pool deck had standing water; a skimmer was missing a weir; a ladder was not tight and secure; the chlorine level was not within the acceptable range of water quality standards; and, the bound and numbered log book was not maintained on a daily basis. A violation was issued for failure to properly operate and maintain the pool on three occasions.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of two thousand, five hundred twenty dollars (**\$2,520.00**).

20) Order Type and Number: Consent Order 13-007-DW
Order Date: January 23, 2013
Respondent: **Brightwater Retirement, LLC**
Facility: Brightwater Retirement Home
Location: 101 Brightwater Drive
Myrtle Beach, SC 29579
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-1696B
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Brightwater Retirement, LLC (Respondent) is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: chlorine sticks were in the skimmer basket; the chlorine level was not within the acceptable range of water quality standards; the pH level was not within the acceptable range of water quality standards; the United States Coast Guard approved life ring was defective in that it had deteriorated; the disinfection equipment was not operating; and the automatic controller was not operating properly. A violation was issued for failure to properly operate and maintain the pool on two occasions.

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

21) Order Type and Number: Consent Order 13-009-DW
Order Date: January 28, 2013
Respondent: **South Seas, Inc.**
Facility: South Seas
Location: 1007 South Ocean Boulevard
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-242-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: South Seas, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: two approvable “Shallow Water – No Diving” signs were not posted; two approvable “No Lifeguard On Duty – Swim At Your Own Risk” signs were not posted; the gate did not self latch; the chlorine level was not within the acceptable range of water quality standards; the bound and numbered log book was not available; the pool operator of record information was not posted; the pool rules sign was not completely filled out; the main drain grates were not visible; the skimmer covers were broken; the “No Diving” tiles were missing; the “1/2” and “FT” tile markers at the water line were not four inches; there was a broken float on the lifeline; a ladder was missing; there were chlorine sticks in the skimmer baskets; and, the Respondent failed to schedule an inspection with the Department prior to re-opening the pool. A violation was issued for failure to properly operate and maintain the pool on two occasions and for failure to obtain Department approval prior to re-opening the pool on one occasion.

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

22) Order Type and Number: Consent Order 13-010-DW
Order Date: January 28, 2013
Respondent: **Wildaire Association of Resident Owners, Inc.**
Facility: Wildaire Condos

Location: Rushmore Drive
Greenville, SC 29601
Mailing Address: 821 South Main Street
Greenville, SC 29601
County: Greenville
Previous Orders: None
Permit/ID Number: 23-090-1
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Wildaire Association of Resident Owners, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. The Respondent has violated the Public Swimming Pools Regulation as follows: the pool walls were dirty; the main drain grates were not visible; the chlorine level was not within the acceptable range of water quality standards; and, an unapproved hose was in the pool. A violation was issued for failure to properly operate and maintain the pool on two occasions.

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

Water Pollution Enforcement

23) Order Type and Number: Consent Order 13-001-W
Order Date: January 7, 2013
Respondent: **C. W. Degler Septic Tank & Grease Trap Service, Inc.**
Facility: Land Application Site
Location: 1399 Morgandollar Road
Ridgeland, SC 29935
Mailing Address: Rt. 2 P.O. Box 408
Ridgeland, SC 29936
County: Jasper
Previous Orders: None
Permit/ID Numbers: ND0073954
Violations Cited: S.C. Code Ann. § 48-1-110(d) (2008); S.C. Reg. 61-9.505.41 (a) and (e) (Supp. 2011)

Summary: C. W. Degler Septic Tank and Grease Trap Service, Inc. (Respondent) owns and is responsible for the operation of the land application facility located at 1399 Morgandollar Road in Jasper County, South Carolina. The Respondent failed to operate and maintain the Facility in accordance with the requirements of Land Application Permit ND0073954.

Action: The Respondent is required to: submit an updated operation and maintenance plan; submit a nutrient management plan; request a permit modification; and, pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**).

24) Order Type and Number: Consent Order 13-002-W
Order Date: January 11, 2013
Respondent: **Mr. R. Dent King**
Facility: R. Dent King
Location: 951 South Main Street
Society Hill, SC 29593
Mailing Address: P.O. Box 58
Society Hill, SC 29593
County: Darlington
Previous Orders: None
Permit/ID Number: ND0082864
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.200.190 (Supp. 2002).

Summary: Mr. R. Dent King (Respondent), located in Darlington County, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated the Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his confined animal manure management (CAMM) certification as required.

Action: The Respondent is required to: submit a copy of his CAMM certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

25) Order Type and Number: Consent Order 13-003-W
Order Date: January 11, 2013
Respondent: **Mr. Kemp McLeod**
Facility: McLeod Farms
Location: Highway 1 North
McBee, SC 29101-0449
Mailing Address: P.O. Box 449
McBee, SC 29101-0449
County: Chesterfield
Previous Orders: None
Permit/ID Number: ND0078930

Violations Cited: 25 S.C. Code Ann. Regs. 61-43.100.190 (Swine), 100.190 (Other) or 400.120 (Manure Broker) (Supp. 2002).

Summary: Mr. Kemp McLeod (Respondent), located in Chesterfield County, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated the Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his confined animal manure management (CAMM) certification as required.

Action: The Respondent is required to: submit a copy of his CAMM certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

26) Order Type and Number: Consent Order 13-004-W
Order Date: January 11, 2013
Respondent: **Mr. Don Bowman**
Facility: Don Bowman
Location: 719 Bowman Road
Iva, SC 29655
Mailing Address: Same
County: Anderson
Previous Orders: None
Permit/ID Number: ND0082503
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.100.190 (Swine), 100.190 (Other) or 400.120 (Manure Broker) (Supp. 2002).

Summary: Mr. Don Bowman (Respondent), located in Anderson County, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated the Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his confined animal manure management (CAMM) certification as required.

Action: The Respondent is required to: submit a copy of his CAMM certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

27) Order Type and Number: Consent Order 13-005-W
Order Date: January 11, 2013

Respondent: **Mr. Keith Hollifield**
Facility: Keith Hollifield
Location: 1223 Montgomery Drive
Spartanburg, SC 29323
Mailing Address: Same
County: Spartanburg
Previous Orders: None
Permit/ID Number: ND0086916
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.100.190 (Swine), 100.190 (Other) or 400.120 (Manure Broker) (Supp. 2002).

Summary: Mr. Keith Hollifield (Respondent), located in Spartanburg County, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated the Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his confined animal manure management (CAMM) certification as required.

Action: The Respondent is required to: submit a copy of his CAMM certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

28) Order Type and Number: Consent Order 13-006-W
Order Date: January 11, 2013
Respondent: **Mr. John Hill**
Facility: John Hill
Location: 170 Hill Farm Lane
Chesterfield, SC 29323
Mailing Address: Same
County: Chesterfield
Previous Orders: None
Permit/ID Number: ND0084646
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.100.190 (Swine), 100.190 (Other) or 400.120 (Manure Broker) (Supp. 2002).

Summary: Mr. John Hill (Respondent), located in Chesterfield County, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated the Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his confined animal manure management (CAMM) certification as required.

Action: The Respondent is required to: submit a copy of his CAMM certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

29) Order Type and Number: Consent Order 13-007-W
Order Date: January 11, 2013
Respondent: **Mr. J. P. Truesdale**
Facility: J. P. Truesdale
Location: 58 East Larimore Road
Hemmingway, SC 29554
Mailing Address: Same
County: Williamsburg
Previous Orders: None
Permit/ID Number: ND0087572
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.100.190 (Swine), 100.190 (Other) or 400.120 (Manure Broker) (Supp. 2002).

Summary: Mr. J. P. Truesdale (Respondent), located in Williamsburg County, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated the Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his confined animal manure management (CAMM) certification as required.

Action: The Respondent is required to: submit a copy of his CAMM certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

30) Order Type and Number: Consent Order 13-008-W
Order Date: January 11, 2013
Respondent: **Mr. Jeff Jones**
Facility: Jeff Jones
Location: 5440 Flat Rock Road
Iva, SC 29554
Mailing Address: Same
County: Anderson
Previous Orders: None
Permit/ID Number: ND0084948
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.100.190 (Swine), 100.190 (Other) or 400.120 (Manure Broker) (Supp. 2002).

Summary: Mr. Jeff Jones (Respondent), located in Anderson County, South Carolina, owns and is responsible for the proper disposal of manure from his agricultural facility. The Respondent has violated the Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his confined animal manure management (CAMM) certification as required.

Action: The Respondent is required to: submit a copy of his CAMM certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

31) Order Type and Number: Consent Order 13-009-W
Order Date: January 11, 2013
Respondent: **Mr. Adam F. Causey**
Facility: Causey Manure Brokering
Location: N/A
Mailing Address: P.O. Box 35
McFarlan, NC 28102
County: Statewide
Previous Orders: None
Permit/ID Number: ND0084476
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.100.190 (Swine), 100.190 (Other) or 400.120 (Manure Broker) (Supp. 2002).

Summary: Mr. Adam F. Causey (Respondent), located in McFarlan, North Carolina, owns and is responsible for the proper disposal of manure from his manure brokering operation in South Carolina. The Respondent has violated the Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain his confined animal manure management (CAMM) certification as required.

Action: The Respondent is required to: submit a copy of his CAMM certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondent fail to comply with the Order.

32) Order Type and Number: Consent Order 13-010-W
Order Date: January 11, 2013
Respondent: **Micheal and Michelle Furtick**
Facility: Furtick Farms
Location: 621 Homeplace Road

Mailing Address: Neeses, SC 29107
County: Same
Orangeburg
Previous Orders: None
Permit/ID Number: ND0082457/ ND0085197
Violations Cited: 25 S.C. Code Ann. Regs. 61-43.100.190 (Swine), 100.190 (Other) or 400.120 (Manure Broker) (Supp. 2002).

Summary: Micheal and Michelle Furtick (Respondents) located in Orangeburg County, South Carolina, own and are responsible for the proper disposal of manure from their agriculture facilities in South Carolina. The Respondents have violated the Standards for the Permitting of Agricultural Animal Facilities Regulations as follows: failed to obtain their confined animal manure management (Camm) certification as required.

Action: The Respondents are required to: submit a copy of their Camm certification on or before May 1, 2013 and pay a **stipulated penalty** in the amount of one thousand dollars (**\$1,000.00**) should the Respondents fail to comply with the Order.

33) Order Type and Number: Consent Order 13-011-W
Order Date: January 11, 2013
Respondent: **City of Dillon**
Facility: Cypress Pond Plant
Location: State Road S-17-684
Dillon, SC 29536
Mailing Address: 401 W. Main St.
Dillon, SC 29536
County: Dillon
Previous Orders: 09-015-W (\$2,800.00)
Permit/ID Number: SC0021776
Violations Cited: S.C. Code Ann. §48-1-110(d)(2008);
24 S.C. Code Ann. Regs. 61-9.122.41(a) and (e)(Supp. 2011).

Summary: The City of Dillon (Respondent) owns and is responsible for the proper operation and maintenance of the Little Pee Dee River Waste Water Treatment Facility (WWTF) located outside of the City of Dillon in Dillon County, South Carolina. The Respondent failed to comply with the effluent discharge limits for Biochemical Oxygen Demand – 5 day (BOD₅) for effluent discharged from the Cypress Pond Plant.

Action: The Respondent is required to: submit a corrective action plan and pay a civil penalty in the amount of three thousand, two hundred dollars (**\$3,200.00**).

34) Order Type and Number: Consent Order 13-013-W
Order Date: January 11, 2013
Respondent: **Goat Island Water & Sewer Co.**
Facility: Wastewater Treatment Facility
Location: 2039 Lake Marion Shores Rd.
Summerton, SC 29148
Mailing Address: Same
County: Clarendon
Previous Orders: None
Permit/ID Numbers: ND0067318
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(2008); S.C. Reg. 61-9.122.41 (a) (2011)

Summary: Goat Island Water & Sewer Company, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of its wastewater treatment facility (WWTF), located in Clarendon County, South Carolina. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent limits for Total Suspended Solids as contained in its National Pollutant Discharge Elimination System Permit.

Action: The Respondent is required to: submit a corrective action plan to include measures that have been implemented, or that will be implemented, to prevent future effluent violations; and, pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**) payable in four installments.

35) Order Type and Number: Consent Order 13-014-W
Order Date: January 28, 2013
Respondent: **Hanson Brick East, LLC**
Facility: Hanson Brick Columbia Plant
Location: 5100 Brickyard Road
Columbia, SC 29203
Mailing Address: Same
County: Richland
Previous Orders: None
Permit/ID Number: SC0031640
Violations Cited: S.C. Code Ann. § 48-1-110(d)
(2008); 24 S.C. Code Ann. Regs. 61-9.122.41(a) (2011).

Summary: Hanson Brick East, LLC (Respondent), located in Richland County, South Carolina owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF). The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to properly monitor and report for chronic toxicity

(CTOX) as required by National Pollutant Discharge Elimination System Permit SC0031640.

Action: The Respondent is required to: submit CTOX results within thirty (30) days of the first measurable discharge from the WWTF; submit a corrective action plan if the CTOX results indicate a failure; and, pay a civil penalty in the amount of three thousand, seventy-five dollars (**\$3,075.00**).

BUREAU OF AIR QUALITY

36) Order Type and Number: Consent Order 13-001-A
Order Date: January 28, 2013
Respondent: **New South Lumber Company Inc.**
Facility: New South Lumber Company Inc.
Location: 1100 Chesterfield Lumber Dr
Darlington, SC 29532
Mailing Address: P.O. Box 116
Darlington, SC 29532
County: Darlington
Previous Orders: 09-029-A (\$3,000.00)
Permit/ID Number: 0820-0045
Violations Cited: 24A S.C. Code Ann. Regs. 61-62.5
(Supp. 2011), Standard No. 1, Emissions from Fuel Burning Operations,
Section I.B and 24A S.C. Code Ann. Regs. 61-62.1, Section II, Permit
Requirements

Summary: New South Lumber Company, Inc. (Respondent) owns and operates a sawmill that produces dimensional southern yellow pine lumber at its facility located at 1100 Chesterfield Lumber Dr. in Darlington, South Carolina. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-0820-0045 to the Respondent, effective January 1, 2010. The Respondent violated South Carolina Air Pollution Control Regulations and its Permit as follows: failed to limit opacity from boiler #2 to 20%.

Action: The Respondent is required to: comply with the opacity limit for Boiler #2 in accordance with the requirements of the Regulation and its Permit; and pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**) payable in two (2) installments.

37) Order Type and Number: Consent Order 13-002-A
Order Date: January 28, 2013
Respondent: **Schwarz Wallace, LLC**
Facility: Schwarz Wallace, LLC

Location: 4351 Brickyard Road
Wallace, SC 29596
Mailing Address: 1947 N. Fayetteville Street
Asheboro, NC 27204
County: Marlboro
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. EPA 40 CFR 61.145(a) and 25A S.C. Code Ann. Regs. 61-86.1, Section VI.A.1, U.S. EPA 40 CFR 61.145(b) (3) (i) and 25A S.C. Code Ann. Regs. 61-86.1, Section XVI.B.1.a. U.S. EPA 40 CFR 61.145(c) (1) and 25A S.C. Code Ann. Regs. 61-86.1, Section XVI.C.2. 25A S.C. Code Ann. Regs. 61-86.1, Section V.B.3., and 25A S.C. Code Ann. Regs. 61-86.1, Section IV.A.1. and 2.

Summary: Schwarz Wallace, LLC (Respondent) is the owner of the former Delta Mill located in Wallace, South Carolina. The Respondent violated U.S. EPA Regulations and South Carolina Air Pollution Control Regulations as follows: failed to ensure that an asbestos building inspection was performed prior to beginning demolition activities; failed to submit a written notice of intent to demolish to the Department; failed to ensure that all asbestos-containing materials were removed in accordance with the applicable work practice requirements prior to beginning demolition activities; failed to obtain Department-issued asbestos project licenses prior to beginning demolition activities and failed to use Department-licensed workers while engaged in a regulated asbestos project.

Action: The Respondent is required to: ensure that a building inspection is performed prior to engaging in any future renovation or demolition operations; ensure that all applicable notifications are submitted to the Department and all permits are obtained in accordance with the Regulations; not engage in projects involving regulated asbestos containing material unless licensed by the Department to do so; submit an asbestos project design for the cleanup and disposal of all regulated asbestos containing material and contaminated debris resulting from the demolition activity at former Delta Mill; cleanup the site in accordance with the Department-approved project design and ensure that all material and contaminated debris are removed and disposed of in accordance with the Regulations; submit waste shipment records for the disposal of all material and contaminated debris from the site; pay a civil penalty in the amount of one thousand, four hundred dollars (**\$1,400.00**); and, pay a suspended penalty in the amount of twelve thousand, six hundred dollars (\$12,600.00) should the Respondent fail to meet any requirement of the Order.

38) Order Type and Number: Consent Order 13-003-A
Order Date: January 28, 2013
Respondent: **Tommy Hodgin**

Facility: Tommy Hodgin
Location: 4351 Brickyard Road
Wallace, SC 29596
Mailing Address: P.O. Box 89
Climax, NC 27233
County: Marlboro
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: U.S. EPA 40 CFR 61.145(a) and 25A S.C. Code Ann. Regs. 61-86.1, Section VI.A.1. U.S. EPA 40 CFR 61.145(b)(3)(i) and 25A S.C. Code Ann. Regs. 61-86.1, Section XVI.B.1.a. U.S. EPA 40 CFR 61.145(c)(1) and 25A S.C. Code Ann. Regs. 61-86.1, Section XVI.C.2. 25A S.C. Code Ann. Regs. 61-86.1, Section V.B.3., and 25A S.C. Code Ann. Regs. 61-86.1, Section IV.A.1. and 2.

Summary: Tommy Hodgin (Respondent) was contracted by Schwarz Wallace, LLC to remove the boiler from the former Delta Mill located in Wallace, South Carolina. The Respondent violated U.S. EPA Regulations and South Carolina Air Pollution Control Regulations as follows: failed to ensure that an asbestos building inspection was performed prior to beginning demolition activities; failed to submit a written notice of intent to demolish to the Department; failed to ensure that all asbestos-containing materials were removed in accordance with the applicable work practice requirements prior to beginning demolition activities; failed to obtain Department-issued asbestos project licenses prior to beginning demolition activities and failed to use Department-licensed workers while engaged in a regulated asbestos project.

Action: The Respondent is required to: ensure that a building inspection is performed prior to engaging in any future renovation or demolition operations, not engage in projects involving regulated asbestos containing material unless licensed by the Department to do so; ensure that all applicable notifications are submitted to the Department in accordance with state and federal asbestos regulations; ensure that required Department-issued licenses are obtained prior to engaging in future asbestos projects; pay a civil penalty in the amount of one thousand, four hundred dollars (**\$1,400.00**); and, pay a suspended penalty in the amount of twelve thousand, six hundred dollars (\$12,600.00) should the Respondent fail to meet any requirement of the Order.