

**ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT  
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL  
July 10, 2014**

**BUREAU OF LAND AND WASTE MANAGEMENT**

**Underground Storage Tank Enforcement**

- 1)     Order Type and Number:                     Consent Order 14-0001-UST  
       Order Date:                                 May 12, 2014  
       Respondent:                                 **Sams Mart IV, LLC**  
       Facility:                                     Sams Mart 90  
       Location:                                     810 Tom Hall St.  
   Fort Mill, SC 29715  
       Mailing Address:                         7935 Council Place #200  
   Matthews, NC 28105-5000  
  
       County:                                     York  
       Previous Orders\*:                         None  
       Permit/ID Number:                     14726  
       Violations Cited:                     SUPERB Act Section 44-2-60(A)  
   (Supp. 2013); the South Carolina Underground Storage Tank Control  
   Regulation R.61-92, Section 280.20(e); R.61-92.280.31(c); R.61-92,  
   Section 280.34(c); R.61-92, Section 280.40(a); R.61-92, Section  
   280.41(b)(1)(ii); R.61-92, Section 280.43(d); and, R.61-92, Section  
   280.45(b)(1) (2012).

Summary: Sams Mart IV, LLC (Respondent) owns and operates underground storage tanks (USTs) in York County, South Carolina. On October 29, 2013, a Notice of Alleged Violation (NOAV) was issued as a result of a routine compliance inspection. The Respondent violated the SUPERB Act and the South Carolina Underground Storage Tank Control Regulation as follows: failed to install tanks and piping in accordance with manufacturer's instructions; failed to inspect the impressed current system at least every sixty (60) days; failed to provide records to the Department upon request; failed to provide an adequate release detection method; failed to conduct an annual line tightness test on a pressurized line or have monthly monitoring; failed to conduct proper release detection using an automatic tank gauge; failed to conduct annual test of automatic line leak detectors and/or sump sensors; and, failed to maintain sampling, testing, or monitoring records for at least one year.

Action: The Respondent is required to submit: a corrosion protection system impressed current log representing the most recent twelve (12) consecutive months, or perform and submit a current corrosion protection system

test; tank tightness tests, line tightness tests, and line leak detector function checks for all USTs at the facility; proof that all shear valve bracket bolts are tightened in dispenser 5/6 and the diesel dispenser; and, pay a civil penalty in the amount of three thousand, two hundred fifty dollars (\$3,250.00).

### Hazardous Waste Enforcement

2)     Order Type and Number:                     Consent Order 14-06-HW  
          Order Date:                                 May 6, 2014  
          Respondent:                                **Siemens Energy & Automation,  
  Inc.**  
  
          Facility:                                     Siemens  
          Location:                                    1320 Old Georgia Road,  
  Roebuck, SC 29376  
  
          Mailing Address:                         Same  
          County:                                     Spartanburg  
          Previous Orders:                         None  
          Permit/ID Number:                     SCD 078 065 117  
          Violations Cited:                     The South Carolina Hazardous  
  Waste Management Act §44-56-130(2); the South Carolina Hazardous  
  Waste Management Regulations R.61-79.262.11; 273.13(d)(1); 273.14(e);  
  273(15)(a); 79.262.34(a)(4)/265.173(c); 262.34(a)(2);  
  262.34(a)(4)/265.173(d); 265.174; 262.34(a)(1)(i)/265.175(a); 265.35;  
  262.90; 264.54/Permit Condition I.I.5

Summary: Siemens Energy & Automation, Inc. (Respondent) owns and operates a facility that manufactures electrical distribution equipment, panel boards, and busways used in commercial and industrial applications. On November 21, 2013, the Department conducted an inspection of the facility. The Respondent violated the Hazardous Waste Management Regulations as follows: as a generator of a solid waste, failed to accurately determine if that waste was a hazardous waste; as a small quantity handler of universal waste, failed to contain any lamp in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps; failed to label or mark clearly each lamp or a container or package in which such lamps are contained with one of the following phrases: “Universal Waste – Lamp(s),” “Waste Lamps,” or “Used Lamp(s);” failed to accumulate universal waste for no longer than one year from the date the universal waste was generated, or received from another handler; failed to ensure that each container of hazardous waste is permanently and legibly marked with the following or equivalent statement: “Hazardous Waste-Federal laws prohibit improper disposal;” failed to ensure that the date each accumulation period began was clearly marked and visible on each container; failed to ensure that each container was appropriately labeled with an EPA Hazardous Waste Number; failed to, at least weekly, inspect areas where

containers are stored for leaking containers and deterioration of containers and the containment system; failed to ensure that container storage areas have a containment system designed and operated in properly; failed to maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spills control equipment, and decontamination equipment to any area of facility operation in an emergency; failed to clean up any hazardous waste discharge that occurs during generation, processing or storage; and, failed to review and immediately amend the contingency plan.

Action: The Respondent has agreed to: pay a civil penalty in the amount of fifteen thousand dollars (**\$12,500.00**).

## **BUREAU OF WATER**

### **Drinking Water Enforcement**

3) <u>Order Type and Number:</u>	Consent Order 14-045-DW
<u>Order Date:</u>	May 12, 2014
<u>Respondent:</u>	<b>DeBordieu Club, Inc.</b>
<u>Facility:</u>	DeBordieu Beach Club
<u>Location:</u>	275 DeBordieu Blvd. Georgetown, SC 29440
<u>Mailing Address:</u>	195 Brandon Way Georgetown, SC 29440
<u>County:</u>	Georgetown
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	22-026-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: DeBordieu Club, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 21, 2013, and July 26, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: chlorine sticks were in the skimmer baskets; the “No Lifeguard On Duty – Swim At Your Own Risk” and “Shallow Water – No Diving Allowed” signs did not have the appropriate size lettering; and the chlorine and pH levels were not within the acceptable range of water quality standards.

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

4) Order Type and Number: Consent Order 14-046-DW  
Order Date: May 12, 2014  
Respondent: **Sea Watch Landing Homeowners Association**  
Facility: Sea Watch Inn at the Landing  
Location: 215 Atlantic Avenue  
Garden City, SC 29576  
Mailing Address: Same  
County: Horry  
Previous Orders: None  
Permit/ID Number: 26-717-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Sea Watch Landing Homeowners Association (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 8, 2013, and July 22, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a gate did not self latch; the chlorine and pH levels were not within the acceptable range of water quality standards; and, the cyanuric acid level was above the water quality standards acceptable limit.

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

5) Order Type and Number: Consent Order 14-047-DW  
Order Date: May 12, 2014  
Respondent: **Patricia Grand Homeowners Association, Inc.**  
Facility: Patricia Grand  
Location: 2710 North Ocean Blvd.  
Myrtle Beach, SC 29577  
Mailing Address: 100 Second Avenue South  
North Myrtle Beach, SC 29582  
County: Horry  
Previous Orders: None  
Permit/ID Number: 26-E74-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Patricia Grand Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 2, 2013, and August 23, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a gate did not self close; the main drain grate was broken; the shepherd's crook was missing; the pool rules sign was incomplete; a ladder was missing bumpers; and, the chlorine level was not within the acceptable range of water quality standards.

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

6)	<u>Order Type and Number:</u>	Consent Order 14-048-DW
	<u>Order Date:</u>	May 12, 2014
	<u>Respondent:</u>	<b>Summer Wind Management, Inc.</b>
	<u>Facility:</u>	Summer Wind Inn and Suites
	<u>Location:</u>	1903 South Ocean Blvd. Myrtle Beach, SC 29577
	<u>Mailing Address:</u>	2101 South Ocean Blvd. Myrtle Beach, SC 29577
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	26-283-1
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Summer Wind Management, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 5, 2013, and July 24, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine and pH levels were 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; and, the log book was not maintained on a daily basis.

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

7)	<u>Order Type and Number:</u>	Consent Order 14-049-DW
	<u>Order Date:</u>	May 12, 2014

Respondent: **Ocean View Properties, Inc.**  
Facility: Ocean View Retreat  
Location: 307 First Avenue South  
Myrtle Beach, SC 29577  
Mailing Address: Same  
County: Horry  
Previous Orders: None  
Permit/ID Number: 26-Q85-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Ocean View Properties, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 19, 2013, and August 23, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a water hose was submerged in the pool; a gate did not self close and latch; the chlorine and pH levels were not within the acceptable range of water quality standards; the pool operator of record information was not posted; and, the bound and numbered log book was not maintained on a daily basis.

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

8) Order Type and Number: Consent Order 14-050-DW  
Order Date: May 12, 2014  
Respondent: **Southwest Motels, LLC**  
Facility: Red Tree Inn  
Location: 1415 South Ocean Blvd.  
North Myrtle Beach, SC 29582  
Mailing Address: Same  
County: Horry  
Previous Orders: None  
Permit/ID Number: 26-G39-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Southwest Motels, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 11, 2013, and July 25, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a ladder was not tight and secure and was missing bumpers; a gate did not self latch; the chlorine level was not within the acceptable range of water quality standards; and, the cyanuric acid level was above the water quality standards acceptable limit.

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

- 9)     Order Type and Number:                     Consent Order 14-051-DW  
          Order Date:                                 May 12, 2014  
          Respondent:                                **Tahitian Princess Property  
  Owners Association, Inc.**  
  
          Facility:                                     Tahitian Princess I  
          Location:                                    3300 South Ocean Boulevard  
  North Myrtle Beach, SC 29582  
  
          Mailing Address:                         5511 North Ocean Boulevard  
  Myrtle Beach, SC 29577  
  
          County:                                     Horry  
          Previous Orders:                         None  
          Permit/ID Number:                     26-1294D  
          Violations Cited:                     S.C. Code Ann. Regs. 61-51(J) &  
  61-51(K)(1)(c)

Summary: Tahitian Princess Property Owners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a spa. On June 3, 2013, and August 1, 2013, the spa was inspected and a violation was issued for failure to properly operate and maintain; and, on August 14, 2013, the spa was inspected and a violation was issued for re-opening prior to receiving Department approval. The Respondent has violated the Public Swimming Pools Regulation as follows: a gate did not self close and latch; there were no “Shallow Water – No Diving Allowed” signs posted; the chlorine and pH levels were not within the acceptable range of water quality standards; the emergency notification device was not operational; the pool operator of record information was not posted; the bound and numbered log book was not maintained on a daily basis; and, the spa was operating prior to receiving Department approval.

Action: The Respondent is required to: pay a civil penalty in the amount of one thousand one hundred dollars (**\$1,100.00**). All deficiencies have been corrected.

- 10)    Order Type and Number:                     Consent Order 14-052-DW  
          Order Date:                                 May 12, 2014  
          Respondent:                                **Magnolia Hospitality, LLC**  
          Facility:                                     Pawleys Island Inn  
          Location:                                    11445 Ocean Highway

Mailing Address: Pawleys Island, SC 29585  
3640 Dorchester Road  
North Charleston, SC 29405  
County: Georgetown  
Previous Orders: None  
Permit/ID Number: 22-114-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J) &  
61-51(K)(1)(c)

Summary: Magnolia Hospitality, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 19, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain; and, on July 24, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain and for re-opening prior to receiving Department approval. The Respondent has violated the Public Swimming Pools Regulation as follows: the skimmers were not operating properly; a ladder was missing a step and bumper; algae was present on the pool tile grout; a gate did not self latch; tiles were missing from the pool wall; the chlorine level was not within the acceptable range of water quality standards; the pool rules sign was not completely filled out on one occasion and was not posted on one occasion; the shepherd's crook was missing; the bound and numbered log book was not maintained on a daily basis; only one "Shallow Water – No Diving Allowed" sign was posted; only one "No Lifeguard On Duty – Swim At Your Own Risk" sign was posted and half of the sign was missing; the pool operator of record information was not posted; and the pool was operating prior to receiving Department approval.

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 two hundred dollars (**\$1,200.00**). The Respondent submitted a corrective action plan and corrected the deficiencies.

11) Order Type and Number: Consent Order 14-053-DW  
Order Date: May 12, 2014  
Respondent: **Ocean Grove Homeowners Association, Inc.**  
Facility: Ocean Grove By The Sea  
Location: 311 Todd Lane  
North Myrtle Beach, SC 29582  
Mailing Address: 9551 Hitchgate Drive  
Charlotte, NC 28227  
County: Horry  
Previous Orders: None  
Permit/ID Number: 26-852-1, 26-853-1, and 26-854-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)



Summary: Ocean Grove Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool, kiddie pool, and spa. On June 5, 2013, August 5, 2013, and August 22, 2013, the pool, kiddie pool, and spa were inspected. A violation was issued for failure to properly operate and maintain the pool and spa on June 5, 2013, August 5, 2013, and August 22, 2013; and a violation was issued for failure to properly operate and maintain the kiddie pool on August 5, 2013, and August 22, 2013. The Respondent has violated the Public Swimming Pools Regulation as follows: broken floats were on the lifeline; a ladder was not tight and secure; the chlorine and pH levels were not within the acceptable range of water quality standards; the pool rules sign was not completely filled out; the pool operator of record information was not posted; and, the bound and numbered log book was not available for review.

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 three thousand nine hundred twenty dollars (**\$3,920.00**). The Respondent submitted a corrective action plan and corrected the deficiencies.

12)	<u>Order Type and Number:</u>	Consent Order 14-054-DW
	<u>Order Date:</u>	May 12, 2014
	<u>Respondent:</u>	<b>The Wellington Homeowners' Association</b>
	<u>Facility:</u>	The Wellington
	<u>Location:</u>	1015 South Ocean Boulevard North Myrtle Beach, SC 29582
	<u>Mailing Address:</u>	P.O. Box 30516 Myrtle Beach, SC 29588
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	26-B83-1 and 26-D35-1
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: The Wellington Homeowners' Association (Respondent) owns and is responsible for the proper operation and maintenance of a pool and spa. On July 9, 2013, and July 24, 2013, the pool and spa were inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a lifeline float was broken; a ladder was missing a bumper; the chlorine and pH levels were not within the acceptable range of water quality standards; the United States Coast Guard approved life ring was deteriorated; the bound and numbered log book was not available for review; the spa rules sign was missing; and, only one "No Lifeguard On Duty – Swim At Your Own Risk" sign was posted.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of one thousand three hundred sixty dollars (**\$1,360.00**). The Respondent submitted a corrective action plan and corrected the deficiencies.

- 13) Order Type and Number: Consent Order 14-055-DW  
Order Date: May 21, 2014  
Respondent: **Port City Properties & Rentals, LLC**  
Facility: Northwind Apartments  
Location: 2561 Fassit Road  
North Charleston, SC 29406  
Mailing Address: P.O. Box 20698  
Charleston, SC 29413  
County: Charleston  
Previous Orders: None  
Permit/ID Number: 10-451-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Port City Properties & Rentals, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 17, 2013, and August 12, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a handrail was not tight and secure; the gate did not self close and latch; the chlorine and pH levels were not within the acceptable range of water quality standards; and, the emergency telephone was not operational.

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

- 14) Order Type and Number: Consent Order 14-056-DW  
Order Date: May 21, 2014  
Respondent: **Georgetown Hotel Associates, LLC**  
Facility: Hampton Inn  
Location: 420 Marina Drive  
Georgetown, SC 29440  
Mailing Address: 126 Meeting Street  
Charleston, SC 29401  
County: Georgetown  
Previous Orders: None

Permit/ID Number: 22-102-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Georgetown Hotel Associates, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 21, 2013, and July 26, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine and pH levels were not within the acceptable range of water quality standards; both of the “No Lifeguard On Duty – Swim At Your Own Risk” signs were defective; the bound and numbered log book was not available for review; the ladders were missing bumpers; and, the main drain grate was not in place.

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

15) Order Type and Number: Consent Order 14-057-DW  
Order Date: May 21, 2014  
Respondent: **Myrtle Beach Suburban Hotel Associates, LLC**  
Facility: Myrtle Beach Suburban Extended Stay Hotel  
Location: 730 Frontage Road  
Myrtle Beach, SC 29577  
Mailing Address: 1 Surrey Court  
Columbia, SC 29212  
County: Horry  
Previous Orders: None  
Permit/ID Number: 26-R48-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Myrtle Beach Suburban Hotel Associates, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 3, 2013, and August 8, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine and pH levels were not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; and, the pool operator of record information was not posted.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil

penalty in the amount of eight hundred dollars (**\$800.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

16) Order Type and Number: Consent Order 14-058-DW  
Order Date: May 12, 2014  
Respondent: **Ashton Woods Apartments, LLC**  
Facility: Ashton Woods Apartments  
Location: 9525 Highway 78  
Ladson, SC 29456  
Mailing Address: 8800 Medow Vista Road  
Charlotte, NC 28213  
County: Charleston  
Previous Orders: None  
Permit/ID Number: 10-1148B  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Ashton Woods Apartments, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 19, 2013, and July 29, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine and pH levels were not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; and, the bound and numbered log book was not maintained on a daily basis.

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

17) Order Type and Number: Consent Order 14-059-DW  
Order Date: May 21, 2014  
Respondent: **North Beach Villas Homeowners Association, Inc.**  
Facility: North Beach Villas  
Location: 5701 North Ocean Blvd.  
North Myrtle Beach, SC 29582  
Mailing Address: 299 West Grandview Heights  
Boone, NC 28607  
County: Horry  
Previous Orders: None  
Permit/ID Number: 26-611-1

Violations Cited:

S.C. Code Ann. Regs. 61-51(J)

Summary: North Beach Villas Homeowners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 17, 2013, and July 30, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a gate did not self close and latch; the chlorine level was not within the acceptable range of water quality standards; a ladder was missing bumpers; the pool rules sign was incomplete; and, the pool operator of record information was not posted.

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

18) Order Type and Number: Consent Order 14-060-DW  
Order Date: May 21, 2014  
Respondent: **Tropical Resort, LLC**  
Facility: Econo Lodge  
Location: 1401 South Ocean Blvd.  
Myrtle Beach, SC 29577  
Mailing Address: 601 South Ocean Blvd.  
Myrtle Beach, SC 29577  
County: Horry  
Previous Orders: 13-053-DW  
Permit/ID Number: 26-H44-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Tropical Resort, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On May 28, 2013, and July 23, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the skimmers were not operating properly; the perimeter fencing had no gate; and, the chlorine and pH levels were not within the acceptable range of water quality standards.

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

19) Order Type and Number: Consent Order 14-061-DW  
Order Date: May 21, 2014

<u>Respondent:</u>	<b>Pawleys Island Group, LLC</b>
<u>Facility:</u>	Motel 6
<u>Location:</u>	7903 Ocean Highway Pawleys Island, SC 29585
<u>Mailing Address:</u>	371 North Parkway, Suite 700 Jackson, TN 38305
<u>County:</u>	Georgetown
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	22-011-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Pawleys Island Group, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 30, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a ladder was not tight and secure; algae was present on the pool wall tiles; a hose was submerged in the pool; the gate did not self close and latch; the pool furniture was not at least four feet from the edge of the pool; the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the pool rules sign was incomplete; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; and, the pool operator of record information was not posted. On August 1, 2013, the pool was re-inspected and it was determined that all of the deficiencies had been addressed.

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

20) <u>Order Type and Number:</u>	Consent Order 14-062-DW
<u>Order Date:</u>	May 29, 2014
<u>Respondent:</u>	<b>Sandtrap and Robinson, Inc.</b>
<u>Facility:</u>	Robinson Cottage
<u>Location:</u>	211 31 <sup>st</sup> Avenue North North Myrtle Beach, SC 29582
<u>Mailing Address:</u>	500 Main Street North Myrtle Beach, SC 29582
<u>County:</u>	Horry
<u>Previous Orders:</u>	None
<u>Permit/ID Number:</u>	26-370-1
<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J) & 61-51(K)(1)(c)

Summary: Sandtrap and Robinson, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 10, 2013, the pool was inspected and a violation was issued for failure to properly operate

and maintain. On August 20, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain and for re-opening prior to receiving Department approval. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine and pH levels were not within the acceptable range of water quality standards; the emergency telephone was not operating properly; the deck had settled areas that were lower than the coping; the log book was not maintained on a daily basis on one occasion and was not available for review on another occasion; and, the pool was operating prior to receiving Department approval.

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 two hundred dollars (**\$1,200.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

21)	<u>Order Type and Number:</u>	Consent Order 14-063-DW
	<u>Order Date:</u>	May 21, 2014
	<u>Respondent:</u>	<b>Hospitality South, LLC</b>
	<u>Facility:</u>	Quality Inn & Suites
	<u>Location:</u>	196 Patriots Point Road Mt. Pleasant, SC 29464
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Charleston
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	10-547-1
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Hospitality South, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 14, 2013, and July 14, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: no “No Lifeguard On Duty – Swim At Your Own Risk” signs were posted and the chlorine and pH levels were not within the acceptable range of water quality standards.

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

22)	<u>Order Type and Number:</u>	Consent Order 14-064-DW
	<u>Order Date:</u>	May 29, 2014

Respondent: **The Grove at Fenwick Plantation, LLC**  
Facility: The Grove at Fenwick  
Location: 15 Stardust Way  
Johns Island, SC 29455  
Mailing Address: Same  
County: Charleston  
Previous Orders: None  
Permit/ID Number: 10-1143B  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: The Grove at Fenwick Plantation, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 11, 2013, and July 23, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a gate did not self close and latch; the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the emergency telephone was not operating; and, the bound and numbered log book was not maintained on a daily basis.

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

23) Order Type and Number: Consent Order 14-065-DW  
Order Date: May 29, 2014  
Respondent: **Lockwood Riverfront Hotel, LLC**  
Facility: Courtyard Marriott  
Location: 35 Lockwood Drive  
Charleston, SC 29401  
Mailing Address: 60 Pointe Circle  
Greenville, SC 29615  
County: Charleston  
Previous Orders: None  
Permit/ID Number: 10-530-1 and 10-571-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Lockwood Riverfront Hotel, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool and a spa. On June 25, 2013, and July 25, 2013, the pool and spa were inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine and pH levels were not within the acceptable range of water quality standards; the cyanuric acid



level was above the water quality standards acceptable limit; and, the bound and numbered log book was not maintained on a daily basis.

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

24)	<u>Order Type and Number:</u>	Consent Order 14-066-DW
	<u>Order Date:</u>	May 29, 2014
	<u>Respondent:</u>	<b>Twilight Surf Motel, LLC</b>
	<u>Facility:</u>	Twilight Surf Motel
	<u>Location:</u>	1703 South Ocean Blvd. Myrtle Beach, SC 29577
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	26-370-1
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J)

Summary: Twilight Surf Motel, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On May 23, 2013, and August 8, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a float on the lifeline was broken; a ladder was not tight and secure and was missing bumpers; a skimmer was missing a weir; a gate did not self close and latch; the pool rules sign was not completely filled out; the pool operator of record information was not posted; the pH level was not within the acceptable range of water quality standards; the United States Coast Guard approved life ring did not have a permanently attached rope; and, the shepherd's crook was missing.

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

25)	<u>Order Type and Number:</u>	Consent Order 14-067-DW
	<u>Order Date:</u>	May 29, 2014
	<u>Respondent:</u>	<b>Om Shera of MB, LLC</b>
	<u>Facility:</u>	Sun-N-Sand Resort
	<u>Location:</u>	2701 South Ocean Blvd.

Mailing Address: North Myrtle Beach, SC 29577  
13860 Ballantyne Corporate Place  
Suite 240  
Charlotte, NC 28277

County: Horry

Previous Orders: None

Permit/ID Number: 26-C76-1

Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Om Shera of MB, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 2, 2013, and July 26, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: there were depth marker tiles missing; a ladder was not tight and secure and was missing a bumper; the gate did not self close and latch; a light in the pool wall was out of its niche; the pool rules sign was not filled out; one of the “Shallow Water – No Diving Allowed” signs was missing; one of the “No Lifeguard On Duty—Swim at Your Own Risk” signs was missing; and, the chlorine and pH levels were not within the acceptable range of water quality standards.

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

26) Order Type and Number: Consent Order 14-068-DW

Order Date: May 29, 2014

Respondent: **Brigadier Condominium Association, Inc.**

Facility: Brigadier Condos

Location: 1530 Fort Johnson Road  
Charleston, SC 29412

Mailing Address: 4925 Lacross Road, Suite 112  
North Charleston, SC 29406

County: Charleston

Previous Orders: None

Permit/ID Number: 10-305-1

Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Brigadier Condominium Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On August 13, 2013, and August 20, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a bathroom did not have soap or

paper towels; a gate did not self close and latch; there was algae on the pool deck; a light was out of its niche; the chlorine level was not within the acceptable range of water quality standards; and, the cyanuric acid level was above the water quality standards acceptable limit.

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

27) Order Type and Number: Consent Order 14-069-DW  
Order Date: May 29, 2014  
Respondent: **Townhomes of Beaumont Association, Inc.**  
Facility: Beaumont Townhomes  
Location: 2100 Emerald Terrace  
Mt. Pleasant, SC 29464  
Mailing Address: Same  
County: Charleston  
Previous Orders: None  
Permit/ID Number: 10-386-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Townhomes of Beaumont Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 25, 2013, and July 24, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a handrail was not tight and secure; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; the chlorine and pH levels were not within the acceptable range of water quality standards; and, the pool rules sign was incomplete.

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**).

28) Order Type and Number: Consent Order 14-070-DW  
Order Date: May 29, 2014  
Respondent: **Sunrise Hotels of Charleston, LLC**  
Facility: Comfort Inn  
Location: 144 Bee Street  
Charleston, SC 29401  
Mailing Address: Same  
County: Charleston  
Previous Orders: None

Permit/ID Number: 10-411-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Sunrise Hotels of Charleston, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 25, 2013, and July 26, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine and pH levels were not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; and, the bound and numbered log book was not maintained on a daily basis.

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

29) Order Type and Number: Consent Order 14-071-DW  
Order Date: May 29, 2014  
Respondent: **Beach Villas at DeBordieu Colony  
Horizontal Property Regime**  
Facility: Beach Villas at DeBordieu Colony  
Location: 1048 DeBordieu Boulevard  
Georgetown, SC 29440  
Mailing Address: 428 Cutaway Road  
Lake Lure, NC 28139  
County: Georgetown  
Previous Orders: None  
Permit/ID Number: 22-037-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J) &  
61-51(K)(1)(c)

Summary: Beach Villas at DeBordieu Colony Horizontal Property Regime (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 21, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. On July 26, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain and for re-opening prior to receiving Department approval. The Respondent has violated the Public Swimming Pools Regulation as follows: the lifeline was not in place; a ladder was missing bumpers; one of the “No Lifeguard On Duty – Swim At Your Own Risk” signs was faded; the chlorine and pH levels were not within the acceptable range of water quality standards; the emergency telephone was not operating properly; the pool rules sign was not filled out; the pool operator of record information was not posted; the log book was not available for review; and the pool was operating prior to receiving Department approval.

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 twenty dollars (**\$1020.00**).

30) Order Type and Number: Consent Order 14-072-DW  
Order Date: May 29, 2014  
Respondent: **Homeowners of Ocean Walk Property Association**  
Facility: Ocean Walk  
Location: 404 Salt Kettle Bay Court  
Myrtle Beach, SC 29577  
Mailing Address: 503 Wando Park Drive, Suite 200  
Mount Pleasant, SC 29464  
County: Horry  
Previous Orders: None  
Permit/ID Number: 26-1794B  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: Homeowners of Ocean Walk Property Association (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 12, 2013, and July 30, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine and pH levels were not within the acceptable range of water quality standards; the log book was not maintained on a daily basis; a ladder was not tight and secure; a paver tile was creating a trip hazard; and, the skimmers were not operating properly.

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

31) Order Type and Number: Consent Order 14-073-DW  
Order Date: May 29, 2014  
Respondent: **CC Apartments, LLLP**  
Facility: Claypond Commons  
Location: 101 Rexford Court #1117  
Myrtle Beach, SC 29579  
Mailing Address: Same  
County: Horry  
Previous Orders: None  
Permit/ID Number: 26-R10-1  
Violations Cited: S.C. Code Ann. Regs. 61-51(J)

Summary: CC Apartments, LLLP (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On May 24, 2013, July 24, 2013, and August 12, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a depth marker tile was broken; algae was present on the wall of the pool; chairs were stacked on top of each other by the pool wall; a skimmer basket had a hole in it; the gate did not self close and latch; there was feces and toilet paper on the bathroom floor; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; the chlorine and pH levels were not within the acceptable range of water quality standards; the main drain grates were not visible; the United States Coast Guard approved life ring had deteriorated; the shepherd’s crooks were bent; the pool rules sign was incomplete and was not visible; the pool operator of record information was not posted; the recirculation and filtration system was not operating properly; and, the bound and numbered log book was not maintained on a daily basis.

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

32)	<u>Order Type and Number:</u>	Consent Order 14-074-DW
	<u>Order Date:</u>	May 29, 2014
	<u>Respondent:</u>	<b>Highlands of MB, LLC</b>
	<u>Facility:</u>	Super 8
	<u>Location:</u>	2711 South Ocean Boulevard Myrtle Beach, SC 29577
	<u>Mailing Address:</u>	Same
	<u>County:</u>	Horry
	<u>Previous Orders:</u>	None
	<u>Permit/ID Number:</u>	26-293-1
	<u>Violations Cited:</u>	S.C. Code Ann. Regs. 61-51(J) & 61-51(K)(1)(c)

Summary: Highlands of MB, LLC (Respondent) leases and is responsible for the proper operation and maintenance of a pool. On July 5, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. On July 26, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain and for re-opening prior to receiving Department approval. The Respondent has violated the Public Swimming Pools Regulation as follows: the lifeline was not in place and the floats were not evenly spaced; a handrail was broken; a section of perimeter fencing was bent; the chlorine and pH levels were not within the acceptable range of water quality standards; the shepherd’s crook was not the correct length; the pool rules sign was not completely filled out on one occasion and was missing on another occasion; the

pool operator of record information was not posted; the United States Coast Guard approved life ring was missing; 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 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 two hundred dollars (**\$1,200.00**).

### **Water Pollution Enforcement**

33) Order Type and Number: Consent Order 14-014-W  
Order Date: May 21, 2014  
Respondent: **Harbor Island Utilities, Inc.**  
Facility: Harbor Island Utilities WWTF  
Location: 2 Harbor Drive  
Beaufort, SC 29901  
Mailing Address: P.O. Box 1028  
Beaufort, SC 29901  
County: Beaufort  
Previous Orders: None  
Permit/ID Number: ND0088013  
Violations Cited: Pollution Control Act, S.C Code Ann § 48-1-110(d) (2008) and Water Pollution Control Permits, 3 S.C. Code Ann Regs. 61-9.122.41(a) and (d) (2011).

Summary: Harbor Island Utilities, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of the Harbor Island Utilities, Inc. Wastewater Treatment Facility (WWTF) in Beaufort County. On March 28, 2013, and August 14, 2013, Notices of Violation (NOV) were issued as a result of monitoring records received by the Department. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent limits for biochemical oxygen demand (BOD) as contained in its National Pollutant Discharge Elimination System (NPDES) Permit.

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 three thousand, one hundred fifty dollars (**\$3,150.00**).

34) Order Type and Number: Consent Order 14-018-W  
Order Date: May 12, 2014  
Respondent: **Pharr Yarns, LLC**

Facility: Clover Division WWTF  
Location: Highway 557 & Kingsbury Rd.  
Clover, SC 29710  
Mailing Address: Same  
County: York  
Previous Orders: None  
Permit/ID Number: SC0028321  
Violations Cited: S.C. Code Ann. § 48-1-110 (d) (2008  
and Supp. 2013) and 24 S.C. Code Ann Regs. 61-9.122.41(a)(1)(2011)

Summary: Pharr Yarns, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) serving the synthetic yarn manufacturing plant in York County, South Carolina. On February 19, 2014, a Notice of Alleged Violation (NOAV) was issued for exceeding effluent limits for Fecal Coliform (FC) during the monthly monitoring periods of July and December 2012, and May and June 2013; and exceeding Total Residual Chlorine (TRC) limitations during the monitoring periods of March, July, and November 2013. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with permitted effluent limitations for FC and TRC.

Action: The Respondent is required to: submit a corrective action plan (CAP) to identify corrective actions taken or additional actions planned to prevent recurrence of the violations; and, pay a civil penalty in the amount of two thousand seven hundred dollars (**\$2,700.00**).

35) Order Type and Number: Consent Order 14-019-W  
Order Date: May 13, 2014  
Respondent: **Grand Strand Water & Sewer Authority**  
Facility: Mullins/White Oak Creek WWTP  
Location: 1615 Old Stage Road  
Mullins, SC 29574  
Mailing Address: 1330 Second Ave  
Conway SC 29526  
County: Marion  
Previous Orders: None  
Permit/ID Number: SC0029408  
Violations Cited: S.C. Code Ann. § 48-1-110 (d) (2008  
and Supp. 2013) and 24 S.C. Code Ann Regs. 61-9.122.41(a)(2011)

Summary: The Grand Strand Water & Sewer Authority (Respondent) owns and is responsible for the proper operation and maintenance of the City of Mullins/White Oak Creek Wastewater Treatment Plant (WWTP) serving the residents and businesses within its respective service area in Marion County,



South Carolina. On March 25, 2014, a Notice of Alleged Violation (NOAV) was issued for Whole Effluent Toxicity/Chronic Toxicity (CTOX) violations found in the Discharge Monitoring Report (DMR) for the quarter ending September 2013. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with permitted effluent limitations for (CTOX).

Action: The Respondent is required to: submit to a corrective action plan (CAP) to identify and remediate any additional potential sources of toxicity and propose action steps with an implementation schedule to be evaluated and approved by the Department, as appropriate; and, monitor the effectiveness of the approved corrective action steps engaged for a period of one (1) year after implementation of the approved CAP; engage in a full scale Toxicity Reduction Evaluation in the event of a CTOX failure; and, pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should the Respondent fail to meet any requirement of the Order.

36) <u>Order Type and Number:</u>	Consent Order 14-020-W
<u>Order Date:</u>	May 21, 2014
<u>Respondent:</u>	<b>City of York</b>
<u>Facility:</u>	Fishing Creek WWTP
<u>Location:</u>	2948 Ecology Rd York, SC 29745
<u>Mailing Address:</u>	P.O. Box 500 York, SC 29745
<u>County:</u>	York
<u>Previous Orders:</u>	12-007-W (\$4,000.00); 10-039-W (\$5,100.00)
<u>Permit/ID Number:</u>	SC0038156
<u>Violations Cited:</u>	S.C. Code Ann. § 48-1-110 (d) (2008 and Supp. 2013) and 24 S.C. Code Ann Regs. 61-9.122.41(a)(1)(2011)

Summary: The City of York (Respondent) owns and is responsible for the proper operation and maintenance of the Fishing Creek Wastewater Treatment Plant (WWTP) serving the residents and businesses within its respective service area in York County, South Carolina. On February 19, 2014, a Notice of Alleged Violation (NOAV) was issued for Whole Effluent Toxicity/Chronic Toxicity (CTOX) violations reported in the Discharge Monitoring Report (DMR) for the quarter ending October 2013. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with permitted effluent limitations for (CTOX).

Action: The Respondent is required to: conduct a full scale Toxicity Identification Evaluation(TIE)/Toxicity Reduction Evaluation(TRE); submit a TIE/TRE Plan based upon conclusive findings of the TIE with an implementation



ensure requirements are followed for a negative pressure enclosure and contained work area while engaged in an asbestos project; not proceed with abatement without an air sampler fulfilling all specified air monitoring requirements for an asbestos project; and, pay a civil penalty in the amount of thirty-four thousand dollars (**\$34,000.00**).

## **DIVISION OF OCEAN AND COASTAL RESOURCE MANAGEMENT**

38) Order Type and Number: Consent Order 13C-010W  
Order Date: May 20, 2014  
Respondent: **Thomas H. Graham**  
Location: Porchers Creek  
N 32.847748, W 079.758524  
Mailing Address: 102 Haddrell Street  
Mt. Pleasant, SC 29464  
County: Charleston  
Previous Orders: None  
Permit/ID Number: None  
Violations Cited: S.C. Code Ann. §48-39-130(A) and  
23A S.C. Code Ann. Regs. 30-2(B), 23A S.C. Code Ann. Regs. 30-11(E)

Summary: Thomas H. Graham (Respondent) owns a private houseboat, which is abandoned in the tidelands critical area located on Porchers Creek. An inspection of the abandoned vessel was conducted on October 22, 2013, and an abandoned vessel notification was issued on October 29, 2013. A Notice of Violation and Admission Letter was issued on January 7, 2014. Mr. Graham has violated the Coastal Zone Management Act and Critical Area Permitting Regulations as follows: failed to remove the abandoned vessel from the tidelands critical area within 30 days from notification by the Department.

Action: The Respondent is required to: remove the abandoned vessel from the tidelands critical area and pay a **stipulated penalty** in the amount of one thousand, eight hundred and two dollars (**\$1,802.00**) should the Respondent fail to meet any requirement of the Order.

39) Order Type and Number: Consent Order 14M-002Wb  
Order Date: May 21, 2014  
Respondent: **Mark W. Patterson d.b.a.  
Saltwater Construction**  
Location: 318 63<sup>rd</sup> Avenue N.  
North Myrtle Beach, SC 29582  
Mailing Address: P.O. Box 3514

North Myrtle Beach, SC 29582  
County: Horry  
Previous Orders: 11M-004S (\$1,875)  
Permit/ID Number: OCRM-11-518-A  
Violations Cited: S.C. Code Ann. §48-39-130(A) and  
23A S.C. Code Ann. Regs. 30-2(B), 23A S.C. Code Ann. Regs. 30-  
12(A)(2)(b), Permit OCRM-11-518-A General Condition # 1

Summary: Mark Patterson d.b.a. Saltwater Construction (Respondent) is a licensed contractor hired by Palmetto Resort Properties, LLC, owner of the property abutting the tidelands critical area. On October 7, 2013, an inspection was conducted at the site and a Notice of Violation and Admission Letter was issued on February 26, 2014. The Respondent has violated the Coastal Zone Management Act and Critical Area Permitting Regulations as follows: constructed a 5' 4" wide walkway without authorization from the Department and in violation of the permit.

Action: The Respondent is required to: pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**).

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