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

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

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

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

Action: The Respondent is required to: submit valid test results for the corrosion protection system at the Facility; submit a completed Certificate of
Financial Responsibility; submit proof of financial responsibility mechanism; pay annual tank registration fees and associated late fees in the amount of four
hundred eighty-four dollars ($484.00) for fiscal year 2013; and, pay a civil
penalty in the amount of six thousand, seven hundred seventy-five dollars ($6,775.00).

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

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

**Action:** The Respondent is required to: submit twelve (12) months of SIR monitoring reports from September 2011 through August 2012 for all tanks or results of tank and line tightness tests for all tanks; submit a current copy of the Class A/B operator log; submit a current list of trained and designated Class C operators; submit proof that the corrosion protection system has been repaired; submit acceptable test results for the corrosion protection system; and, pay a civil penalty in the amount of nine thousand, two hundred eight dollars ($9,208.00).
3) **Order Type and Number:** Administrative Order 11-0374-UST  
**Order Date:** December 12, 2013  
**Respondent:** Callawassie Island Company, LP  
**Facility:** Former Callawassie General Store  
**Location:** 1 Callawassie Drive  
\hspace{1cm} Okatie, SC 29910  
**Mailing Address:** 174 Callawassie Drive  
\hspace{1cm} Okatie, SC 29910-4245  
**County:** Beaufort  
**Previous Orders:** None  
**Permit/ID Number:** 11719  

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

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

4) **Order Type and Number:** Administrative Order 13-0365-UST  
**Order Date:** December 12, 2013  
**Respondent:** Thomas Blake  
**Facility:** Blakes Texaco Station  
**Location:** 8423 Savannah Highway  
\hspace{1cm} Norway, SC  
**Mailing Address:** P.O. Box 32  
\hspace{1cm} Norway, SC 29113  
**County:** Orangeburg  
**Previous Orders:** None  
**Permit/ID Number:** 06966  
**Violations Cited:** State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), Section 44-2-60(A) (2002 and Supp. 2012), and the South Carolina Underground Storage Tank Control Regulation 61-92.280.31(a), R.61-92.280.31(b), and R.61-92.280.31(c) (Supp. 2012).
Summary: Thomas Blake (Respondent) owns underground storage tanks (USTs), located in Norway, South Carolina. On December 11, 2012, August 1, 2013, and August 26, 2013, Notices of Alleged Violation(s) were issued as a result of non-compliance at the Facility. The Respondent has violated the South Carolina Underground Storage Tank Control Regulations as follows: failure to pay annual UST registration fees; failure to maintain and operate a corrosion protection system; failure to inspect the impressed current system every sixty days; and, failure to have the corrosion protection system tested every three years by a qualified tester.

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

5) Order Type and Number: Administrative Order 12-0577-UST
Order Date: December 12, 2013
Respondent: Oddie Mae Belton
Facility: Former McLean’s Country Store
Location: 2312 Nesmith Road
          Nesmith, SC
Mailing Address: 2324 Nesmith Road
                Nesmith, SC 29580
County: Williamsburg
Previous Orders: None
Permit/ID Number: 09076

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

Action: The Respondent is required to: submit a Quality Assurance Project Plan (QAPP) for a Tier I Assessment, and a Tier I Assessment Report, upon the Department’s approval of the QAPP; submit a completed Certificate of
Financial Responsibility and proof of mechanism; pay annual UST registration fees and associated late fees in the amount of four hundred dollars ($400.00); and, pay a civil penalty in the amount of sixteen thousand, twenty-five dollars ($16,025.00).

**Hazardous Waste Enforcement**

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<thead>
<tr>
<th>6)</th>
<th><strong>Order Type and Number:</strong></th>
<th>Consent Order 13-11-HW</th>
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<tr>
<td></td>
<td><strong>Order Date:</strong></td>
<td>December 3, 2013</td>
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<tr>
<td></td>
<td><strong>Respondent:</strong></td>
<td>WeylChem US, Inc.</td>
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<tr>
<td></td>
<td><strong>Facility:</strong></td>
<td>WeylChem US, Inc.</td>
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<td></td>
<td><strong>Location:</strong></td>
<td>2114 Larry Jeffers Road</td>
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<td></td>
<td>Elgin, SC 29045</td>
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<tr>
<td></td>
<td><strong>Mailing Address:</strong></td>
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<td></td>
<td><strong>County:</strong></td>
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<td><strong>Previous Orders:</strong></td>
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<td>SCD 042 627 448</td>
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<tr>
<td></td>
<td><strong>Violations Cited:</strong></td>
<td>South Carolina Hazardous Waste Management Act §44-56-130(2); South Carolina Hazardous Waste Management Regulation 61.79.262.34(a)(3); R.61-79.262.34(c)(1)(i)/265.173(a); R.61-79.262.34(c)(1)(ii); R.61-79.262.34(a)(4)/265.174; R.61-79.262.34(a)(4)/265.15(d); and, R.61-79.262.34(a)(4)/265.53(b).</td>
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</table>

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

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

7) Order Type and Number: Administrative Order 13-10-SW  
Order Date: January 8, 2014  
Respondents: Scott Anthony  
Facility: Anthony Structural Fill Project  
Location: 163 Anthony Road  
Pickens, SC  
Mailing Address: 169 Anthony Road  
Pickens, SC 29671  
County: Pickens  
Previous Orders: None  
Permit/ID Number: SF-00087  

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

Action: The Respondent is required to: seed the surface of the fill area with native grasses or other suitable ground cover to establish and maintain into the second growing season a 75% or greater permanent vegetative cover with no substantial bare spots; record a deed notation that would in perpetuity notify any potential purchaser of the property that a portion of the land had been structurally filled; submit for review and approval, a monitoring plan assessing and conducting any required maintenance to the cover soils, ground cover, and erosion or sediment controls into the second growing season; and, pay a civil penalty in the amount of four thousand dollars ($4,000.00).
8) Order Type and Number: Consent Order 13-167-DW
Order Date: December 3, 2013
Respondent: Villages at Lakeshore Homeowners Association, Inc.
Facility: Villages at Lakeshore
Location: 438 Freshwater Drive
          Columbia, SC 29229
Mailing Address: 4910 Trenholm Road
                  Columbia, SC 29206
County: Richland
Previous Orders: None
 Permit/ID Number: 40-1099B

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

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

9) Order Type and Number: Consent Order 13-168-DW
Order Date: December 3, 2013
Respondent: The Village Market of Rock Hill, LLC
Facility: Village Market
Summary: The Village Market of Rock Hill, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On September 20, 2013, and October 18, 2013, a violation was issued as a result of monitoring records received by the Department. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform.

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

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

Summary: Tritex Real Estate Advisors, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On August 28, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the lifeline with floats was missing; a ladder was missing steps; a skimmer was missing a cover; the gate did not self close and latch; the emergency telephone was not operational; the pool rules sign was not completely filled out; only one “Shallow Water – No Diving Allowed” sign was posted; and, the pool operator of record information was not posted.
Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; keep the pool closed until the deficiencies have been corrected; and, pay a civil penalty in the amount of four hundred dollars ($400.00). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

11) Order Type and Number: Consent Order 13-170-DW
Order Date: December 3, 2013
Respondent: Town Center Inn, LLC
Facility: Quality Inn at Town Center
Location: 2001 Boundary Street
Beaufort, SC 29902
Mailing Address: 2015 Boundary Street, Suite 300
Beaufort, SC 29902
County: Beaufort
Previous Orders: None
Permit/ID Number: 07-200-1

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

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

12) Order Type and Number: Consent Order 13-171-DW
Order Date: December 12, 2013
Respondent: Marsh Island Homeowners’ Association
Facility: Marsh Island
Location: 8 Long Marsh Lane
Hilton Head Island, SC 29928
Mailing Address: 10 Long Marsh Lane
Hilton Head Island, SC 29928
County: Beaufort
Previous Orders: None
**Summary:** Marsh Island Homeowners’ Association (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 21, 2013, and July 29, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a ladder was missing bumpers; a skimmer was missing a weir; the chlorine level was not within the acceptable range of water quality standards; the pH level was not within the acceptable range of water quality standards; the pool rules sign was not completely filled out; the pool operator of record information was not posted; and, the bound and numbered log book was not maintained on a daily basis.

**Action:** The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of eight hundred dollars (**$800.00**). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.
the amount of four thousand dollars ($4,000.00) should the Respondent fail to meet any requirement of the Order.

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

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

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

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

**Summary:** Crossroads Commons Phase 1, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On August 8,
2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the gate did not self close and latch; the flow meter was not operating properly; the chlorine level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; the emergency notification device was not functional; the pool rules sign was not completely filled out; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; and, the pool operator of record information was not posted.

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

16) Order Type and Number: Consent Order 13-176-DW
Order Date: December 19, 2013
Respondent: RVM, LLC
Facility: Ridgeview Manor Apartments
Location: 419 Bradleyville Road
          North Augusta, SC 29841
          100 Rogers Terrace
          Aiken, SC 29801
Mailing Address:
County: Aiken
Previous Orders: None
Permit/ID Number: 02-073-1

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

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

17) Order Type and Number: Consent Order 13-172-DW
**Summary:** Suzanne Harper, Individually and d.b.a. Arrowood Swim and Racquet Club (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 4, 2013, and June 14, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards; the pH level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; and, the bound and numbered log book was not maintained a minimum of three times per week by the pool operator of record.

**Action:** The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of eight hundred dollars ($800.00). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.
Summary: Handsmill Property Owners Association, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a pool and a kiddie pool. On May 28, 2013, and July 12, 2013, the pool and kiddie pool were inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the handrails were not tight and secure; the drinking water fountains were not operating; the chlorine level was not within the acceptable range of water quality standards; the pool rules sign was not completely filled out; the pool operator of record information was not posted; and, the log book was not properly bound.

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

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<tr>
<th>19) Order Type and Number:</th>
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<tbody>
<tr>
<td>Order Date:</td>
<td>January 8, 2014</td>
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<tr>
<td>Respondent:</td>
<td>H M Brothers, LLC</td>
</tr>
<tr>
<td>Facility:</td>
<td>Comfort Inn Motel</td>
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<tr>
<td>Location:</td>
<td>3041 Lancaster Highway</td>
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<tr>
<td>Mailing Address:</td>
<td>Richburg, SC 29729</td>
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<td>County:</td>
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<td>Previous Orders:</td>
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<td>Permit/ID Number:</td>
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Summary: H M Brothers, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On July 11, 2013, and July 15, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a skimmer basket was broken; the skimmers were not operating properly in that the water level was low; the gate did not self close and latch; the flow meter was not operating properly; the drinking water fountain was not operating properly; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; the chlorine level was not within the acceptable range of water quality standards; the United States Coast Guard approved life ring did not have a permanently attached rope; the bound and numbered log book was not maintained on a daily basis; and, the bound and numbered log book was not maintained a minimum of three times per week by the pool operator of record.

Action: The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of eight hundred dollars ($800.00). The Respondent submitted a corrective action plan and corrected the deficiencies.
20) Order Type and Number: Consent Order 14-003-DW  
Order Date: January 8, 2014  
Respondent: The Lake Club Commons Owners’ Association, Inc.  
Facility: Lake Club  
Location: 153 Lake Commons Drive  
Rock Hill, SC 29732  
Mailing Address: 248 Latitude Lane, Suite 201  
Lake Wylie, SC 29710  
County: York  
Previous Orders: None  
Permit/ID Number: 46-1007B  

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

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

21) Order Type and Number: Consent Order 14-004-DW  
Order Date: January 8, 2014  
Respondent: Stratford Villa Apartments I, LLC  
Facility: Stratford Villa Apartments  
Location: 200 Eunice Drive  
Greenville, SC 29617  
Mailing Address: P.O. Box 2483  
Greenville, SC 29602  
County: Greenville  
Previous Orders: None  
Permit/ID Number: 23-109-1  
Summary: Stratford Villa Apartments I, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 24, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the lifeline with floats was deteriorated; a hand rail was not tight and secure; the chlorine level was not within the acceptable range of water quality standards; and, the pH level was not within the acceptable range of water quality standards.

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

22) Order Type and Number: Consent Order 14-005-DW
Order Date: January 8, 2014
Respondent: Town of Andrews
Facility: Town of Andrews
Location: 101 North Morgan Avenue
Andres, SC 29510
Mailing Address: P.O. Box 378
Andres, SC 29510
County: Georgetown
Previous Orders: None
Permit/ID Number: 2210003

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

Action: The Respondent is required to: submit a corrective action plan to include proposed steps to correct the deficiencies; and, pay a stipulated penalty
in the amount of four thousand dollars (\$4,000.00) should the Respondent fail to meet any requirement of the Order.

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<thead>
<tr>
<th>23) Order Type and Number:</th>
<th>Consent Order 14-006-DW</th>
</tr>
</thead>
<tbody>
<tr>
<td>Order Date:</td>
<td>January 8, 2014</td>
</tr>
<tr>
<td>Respondent:</td>
<td>Polo Village II, LLC</td>
</tr>
<tr>
<td>Facility:</td>
<td>Polo Village</td>
</tr>
<tr>
<td>Location:</td>
<td>1270 Polo Road</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>Same</td>
</tr>
<tr>
<td>County:</td>
<td>Richland</td>
</tr>
<tr>
<td>Previous Orders:</td>
<td>None</td>
</tr>
<tr>
<td>Permit/ID Number:</td>
<td>40-1055B</td>
</tr>
</tbody>
</table>

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

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

<table>
<thead>
<tr>
<th>24) Order Type and Number:</th>
<th>Consent Order 14-007-DW</th>
</tr>
</thead>
<tbody>
<tr>
<td>Order Date:</td>
<td>January 8, 2014</td>
</tr>
<tr>
<td>Respondent:</td>
<td>Greenbriar Limited Partnership</td>
</tr>
<tr>
<td>Facility:</td>
<td>Greenbriar Apartments</td>
</tr>
<tr>
<td>Location:</td>
<td>1 Nancy Lane</td>
</tr>
</tbody>
</table>
Summary: Greenbriar Limited Partnership (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 21, 2013, and August 2, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the fill spout was not secure; the chlorine level was not within the acceptable range of water quality standards; the emergency telephone was not operating properly; only one “No Lifeguard On Duty – Swim At Your Own Risk” sign was posted; and, the current pool operator of record information was not posted.

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

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

Summary: Ada Eades, Individually and d.b.a. Eades Water (Respondent) owns and is responsible for the proper operation and maintenance of a public water system (PWS). On June 21, 2013, and September 13, 2013, a violation was issued as a result of monitoring records received by the Department. The Respondent has violated the State Primary Drinking Water Regulations as follows: the PWS exceeded the maximum contaminant level (MCL) for total coliform.
**Action:** The Respondent is required to: submit an investigative report to determine the causes of the MCL violations and a corrective action plan (CAP) to include proposed steps to address those causes; and, pay a **stipulated penalty** in the amount of four thousand dollars ($4,000.00) should the Respondent fail to meet any requirement of the Order.

### 26) Consent Order 14-009-DW

- **Order Date:** January 8, 2014
- **Respondent:** Saluda County Water and Sewer Authority
- **Facility:** Saluda County Water and Sewer Authority
- **Location:** 113 East Church Street, Saluda, SC 29138
- **Mailing Address:** Same
- **County:** Saluda
- **Previous Orders:** None
- **Permit/ID Number:** 4120001

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

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

### 27) Consent Order 14-010-DW

- **Order Date:** January 9, 2014
- **Respondent:** Island Club Horizontal Property Regime I, Island Club Horizontal Property Regime II, Island Club Horizontal Property Regime III, Council of Co-Owners, and Island Club Horizontal Property Regime IV Council of Co-Owners
- **Facility:** Island Club
- **Location:** 85 Folly Field Road, Hilton Head Island, SC 29928
- **Mailing Address:** Same
County: Beaufort

Previous Orders: None

Permit/ID Number: 07-053-1


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

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

28) Order Type and Number: Consent Order 14-011-DW

Order Date: January 16, 2014

Respondent: Clinton Holdings, LLC

Facility: Comfort Suites

Location: 12865 Highway 56
Clinton, SC 29325

Mailing Address: Same

County: Laurens

Previous Orders: None

Permit/ID Number: 30-1007B


Summary: Clinton Holdings, LLC (Respondent) owns and is responsible for the proper operation and maintenance of a pool. On June 25, 2013, September 12, 2013, and September 26, 2013, the pool was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: the chlorine level was not within the acceptable range of water quality standards; and, the cyanuric acid level was above the water quality standards acceptable limit.
**Action:** The Respondent is required to: submit a corrective action plan and schedule of implementation to address the deficiencies; and, pay a civil penalty in the amount of two thousand forty dollars ($2,040.00). The civil penalty has been paid. The Respondent submitted a corrective action plan and corrected the deficiencies.

<table>
<thead>
<tr>
<th>Order Type and Number:</th>
<th>Consent Order 14-012-DW</th>
</tr>
</thead>
<tbody>
<tr>
<td>Order Date:</td>
<td>January 16, 2014</td>
</tr>
<tr>
<td>Respondent:</td>
<td>Forest Hills Swim Club, Inc.</td>
</tr>
<tr>
<td>Facility:</td>
<td>Forest Hills</td>
</tr>
<tr>
<td>Location:</td>
<td>125 Rock Springs Road</td>
</tr>
<tr>
<td></td>
<td>Lancaster, SC 29720</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>P.O. Box 55</td>
</tr>
<tr>
<td>County:</td>
<td>Lancaster</td>
</tr>
<tr>
<td>Previous Orders:</td>
<td>None</td>
</tr>
<tr>
<td>Permit/ID Number:</td>
<td>29-007-1</td>
</tr>
</tbody>
</table>

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

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

<table>
<thead>
<tr>
<th>Order Type and Number:</th>
<th>Consent Order 14-013-DW</th>
</tr>
</thead>
<tbody>
<tr>
<td>Order Date:</td>
<td>January 16, 2014</td>
</tr>
<tr>
<td>Respondent:</td>
<td>Town of Williams</td>
</tr>
<tr>
<td>Facility:</td>
<td>Town of Williams</td>
</tr>
<tr>
<td>Location:</td>
<td>Duncan Street</td>
</tr>
<tr>
<td></td>
<td>Williams, SC 29493</td>
</tr>
<tr>
<td>Mailing Address:</td>
<td>P.O. Box 23</td>
</tr>
<tr>
<td>County:</td>
<td>Colleton</td>
</tr>
<tr>
<td>Previous Orders:</td>
<td>None</td>
</tr>
</tbody>
</table>
Permit/ID Number: 1510003

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

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

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

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

Action: The Respondent is required to: pay a civil penalty in the amount of eight hundred dollars ($800.00).
32) **Order Type and Number:** Consent Order 14-015-DW  
**Order Date:** January 23, 2014  
**Respondent:** Balaji, LLC  
**Facility:** Comfort Suites  
**Location:** 131 Big John Road  
Beaufort, SC 29902  
**Mailing Address:** 17 Bostick Circle  
Beaufort, SC 29902  
**County:** Beaufort  
**Previous Orders:** None  
**Permit/ID Number:** 07-1109B  
**Violations Cited:** S.C. Code Ann. Regs. 61-51(J)  

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

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

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

**Summary:** Berkeley Hall Club, Inc. (Respondent) owns and is responsible for the proper operation and maintenance of a spa. On February 11, 2013, June 4, 2013, August 8, 2013, and November 13, 2013, the spa was inspected and a violation was issued for failure to properly operate and maintain. The Respondent has violated the Public Swimming Pools Regulation as follows: a handrail was not tight and secure; the chlorine level was not within the acceptable range of water quality standards; and, the cyanuric acid level was above the water quality standards acceptable limit.
quality standards; the pH level was not within the acceptable range of water quality standards; the cyanuric acid level was above the water quality standards acceptable limit; and, the bound and numbered log book was not maintained on a daily basis.

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

<table>
<thead>
<tr>
<th>34)</th>
<th><strong>Order Type and Number:</strong></th>
<th>Consent Order 14-017-DW</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Order Date:</strong></td>
<td>January 23, 2014</td>
</tr>
<tr>
<td></td>
<td><strong>Respondent:</strong></td>
<td>Providence Presbytery, Inc.</td>
</tr>
<tr>
<td></td>
<td><strong>Facility:</strong></td>
<td>Bethelwoods Center</td>
</tr>
<tr>
<td></td>
<td><strong>Location:</strong></td>
<td>922 West Mt. Gallant Road</td>
</tr>
<tr>
<td></td>
<td><strong>Mailing Address:</strong></td>
<td>515 Oakland Avenue</td>
</tr>
<tr>
<td></td>
<td><strong>County:</strong></td>
<td>York</td>
</tr>
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<td></td>
<td><strong>Previous Orders:</strong></td>
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<tr>
<td></td>
<td><strong>Permit/ID Number:</strong></td>
<td>4670900</td>
</tr>
<tr>
<td></td>
<td><strong>Violations Cited:</strong></td>
<td>S.C. Code Ann. Regs. 61-58.5.F</td>
</tr>
</tbody>
</table>

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

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

**Water Pollution Enforcement**

<table>
<thead>
<tr>
<th>35)</th>
<th><strong>Order Type and Number:</strong></th>
<th>Consent Order 13-043-W</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Order Date:</strong></td>
<td>December 12, 2013</td>
</tr>
<tr>
<td></td>
<td><strong>Respondent:</strong></td>
<td>Fairways Development, LLC, John T. Bakhaus, Registered Agent</td>
</tr>
<tr>
<td></td>
<td><strong>Facility:</strong></td>
<td>Lake Windemere/Columbia Dam</td>
</tr>
</tbody>
</table>
Location: Longtown Road East
Blythewood, SC 29016
Mailing Address: P.O. Box 290730
Columbia, SC 29229
County: Richland
Previous Order(s): None
Permit Number: D 0549
Violation(s) Cited: Dams and Reservoirs Safety Act,

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

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

Order Date: January 8, 2014
Respondent: SCE&G
Facility: V.C. Summer Nuclear Station
Location: Hwy 215
Jenkinsville, SC 29065
Mailing Address: P.O. Box 88
Jenkinsville, SC 29065
County: Fairfield
Previous Orders: None
Permit/ID Number: SC0030856
Summary: South Carolina Electric and Gas Company (SCE&G) (Respondent) owns and is responsible for the proper operation and maintenance of the wastewater treatment facility (WWTF) serving the V.C. Summer Nuclear Station, in Fairfield County, South Carolina. On May 24, 2013, a Notice of Violation (NOV) was issued as a result of monitoring records received by the Department. On September 20, 2013, a Notice of Alleged Violation/Notice of Enforcement Conference was issued. The Respondent has violated the Pollution Control Act and Water Pollution Control Permits Regulation as follows: failed to comply with the effluent limits for biochemical oxygen demand as contained in its National Pollutant Discharge Elimination System (NPDES) Permit.

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

BUREAU OF AIR QUALITY

37) Order Type and Number: Consent Order 14-001-A /13-07-SW
Order Date: January 9, 2014
Respondent: Thompson Building Wrecking Company, Inc.
Facility: Recovered Materials Processing Facility
Location: 30 Storm Branch Road
          Beech Island, SC
Mailing Address: 631 Eleventh Street
                Augusta, GA 30903
County: Aiken
Previous Orders: None
Permit/ID Number: N/A

Summary: Thompson Building Wrecking Company, Inc. (Respondent) owns and operates a recovered materials processing facility, located in Beech Island, South Carolina (Site). Inspections were conducted August 28, 2012 and September 24, 2012. The Department discovered potential violations and issued a
Notice of Alleged Violation on February 14, 2013. The Respondent violated South Carolina Standards of Performance for Asbestos Projects as follows: failed to ensure that asbestos waste is disposed of at a landfill approved or permitted to accept asbestos waste; failed to ensure that asbestos waste was transported and disposed of in a manner that will not permit the release of asbestos fibers into the air; failed to maintain asbestos waste in a secured, locked location where access is controlled; and, failed to ensure that asbestos waste is transported directly to an approved landfill. The Respondent violated South Carolina Solid Waste Policy and Management Act of 1991, and the Solid Waste Landfills and Structural Fill Regulation as follows: failed to obtain a permit for structural fill activities; and, failed to meet the 75% recycling rate required by the South Carolina Solid Waste Policy and Management Act of 1991 for recovered materials processing facilities.

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

38) Order Type and Number: Consent Order 14-002-A
Order Date: January 8, 2014
Respondent: City of Rock Hill
Facility: Former Commercial Property
Location: 1013 Main St. East
Rock Hill, S.C. 29731
Mailing Address: P.O. Box 11706
Rock Hill, S.C. 29731
County: York
Previous Orders: None
Permit/ID Number: N/A

Summary: The City of Rock Hill (Respondent) demolished a commercial structure located at 1013 Main St. East in Rock Hill, South Carolina (“site”). On
April 24, 2013, the Respondent informed the Department of potential violations related to the demolition operation at the site and a Notice of Alleged Violation was issued on September 25, 2013. The Respondent violated U.S. EPA and South Carolina Standards of performance for Asbestos Projects as follows: failed to ensure that an asbestos building inspection was performed; and failed to submit a written notice of intent to demolish; failed to obtain a Department-issued demolition license; and, failed to pay the applicable license fee.

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

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

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

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

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40) **Order Type and Number:** Consent Order 14-004-A  
**Order Date:** January 8, 2014  
**Respondent:** **Salley Pallet Repairing and Recycling Co., LLC**  
**Facility:**  
**Location:** 4301 Salley Road  
**Mailing Address:** Same  
**County:** Aiken  
**Previous Orders:** None  
**Permit/ID Number:** N/A  

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

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

---

41) **Order Type and Number:** Consent Order 14-005-A  
**Order Date:** January 8, 2014  
**Respondent:** **Domtar Paper Company, LLC**  
**Facility:**  
**Location:** 585 Williamette Road  
**Mailing Address:** P.O. Box 678
Summary: Domtar Paper Company, LLC (Respondent) owns and operates an integrated Kraft pulp and paper mill located in Bennettsville, South Carolina. The Department issued Part 70 (Title V) Air Quality Operating Permit TV-1680-0043 to the Respondent, effective April 1, 2003. On November 2, 2012, the Department reviewed a semiannual report submitted by the Respondent and discovered a potential emission violation and a Notice of Alleged Violation was issued on August 30, 2013. The Respondent violated South Carolina Air Pollution Control Regulations and the Permit as follows: failed to demonstrate continuous compliance with each operating parameter requirement, specifically, the Oxidation Reduction Potential (ORP) operating parameter.

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

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Summary: Mr. Aurelio Perez d.b.a. 3C Inspection (Respondent) is a Department-licensed asbestos abatement contractor who engaged in a regulated asbestos project at the former Sevens Products Plus building located at 1105 Stephens St. in Anderson, South Carolina (Site). On December 7 and December 12, 2012, the Department conducted an inspection at the Site and observed several
work practice violations. A Notice of Alleged Violation was issued on July 11, 2013. The Respondent violated U.S. EPA and South Carolina Standards of Performance for Asbestos Projects as follows: failed to submit a written notice of intent to renovate to the Department at least 10 working days prior to beginning a major outdoor asbestos project; and, failed to ensure that the required work practice and air monitoring requirements were adhered to while engaged in a major asbestos project.

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

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

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

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

44) Order Type and Number: Consent Order #2013-206-06-013  
Order Date: January 08, 2014  
Respondent: Sam Georgeakopoulos  
Facility: Sam's Place  
Location: 116 Highway 17 South  
North Myrtle Beach, SC 29582  
Mailing address: Same  
County: Horry  
Previous Orders: None  
Permit/ID Number: 26-206-10056  

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

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

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

Summary: Andrea Johnson (Respondent) owns and operates Aunny's Restaurant located in Georgetown, South Carolina. On June 05, 2013, and October 17, 2013 the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: failed to separate different types of raw animal products, such as beef, fish, lamb,
pork, or poultry during storage, processing, and display by use of different containers, partitions, shelves, or by cleaning and sanitizing the equipment between product uses.

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

### 46) Order Type and Number: Consent Order #2013-206-06-003
Order Date: January 09, 2014
Respondent: Michael Tomko
Facility: Ultimate California Pizza
Location: 4003 Deville Street
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-206-10705

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

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

### 47) Order Type and Number: Consent Order #2013-206-05-002
Order Date: January 08, 2014
Respondent: Tracey Gleaton
Facility: Waffle House #579
Location: 3695 Saint Matthews Road
Orangeburg, SC 29115
Mailing Address: Same
County: Orangeburg
Previous Orders: None
Permit/ID Number: 38-206-01038
Sec. B.1.

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

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

48) Order Type and Number: Consent Order #2013-206-06-011
Order Date: January 09, 2014
Respondent: Patrick Ingram
Facility: Applebee's #712
Location: 1571 Highway 17 North
North Myrtle Beach, SC 29582

Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-206-11804

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

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

49) Order Type and Number: Consent Order #2013-206-05-001
Order Date: January 09, 2014
Respondent: Tomeco Perry
Facility: Denmark-Olar High School
Location: 62 Holly Avenue
Denmark, SC 29042

Mailing Address: Same

County: Orangeburg

Previous Orders: None

Permit/ID Number: 05-206-01003


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

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

50) Order Type and Number: Consent Order #2013-206-06-002
Order Date: January 08, 2014

Respondent: James Thurber

Facility: Liberty Steakhouse & Brewery

Location: 1312 Celebrity Circle, F.
Myrtle Beach, SC 29577

Mailing Address: Same

County: Horry

Previous Orders: None

Permit/ID Number: 26-206-06941


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

Action: The Respondent is required to: maintain daily temperature logs of all refrigerated equipment three times per day; establish methods to properly monitor holding temperatures of potentially hazardous foods during hours of
operation; and, pay a civil penalty in the amount of seven hundred fifty dollars ($750.00).

51) Order Type and Number: Consent Order #2013-206-06-06
Order Date: January 09, 2014
Respondent: Kim Williams
Facility: Island Resort Co. DBA Window's
Location: 9550 Shore Drive
Myrtle Beach, SC 29577

Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-206-09633

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

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

52) Order Type and Number: Consent Order #2013-206-06-015
Order Date: January 08, 2014
Respondent: Jennifer Gonska
Facility: Surfside Jenny's
Location: 1013 Glens Bay Road
Surfside Beach, SC 29575

Mailing Address: Same
County: Horry
Previous Orders: None
Permit/ID Number: 26-206-08782
Violations Cited: S.C. Code Ann. Regs. 61-25, Ch.2,
Sec. B.1.

Summary: Jennifer Gonska (Respondent) owns and operates Surfside Jenny's Restaurant located in Surfside Beach, South Carolina. On August 06,
2013, and October 15, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: improper holding temperatures of potentially hazardous foods.

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

53) **Order Type and Number:** Consent Order #2013-206-06-012  
**Order Date:** January 09, 2014  
**Respondent:** Wil Gengler  
**Facility:** Giant Crab  
**Location:** 9597 North Kings Highway  
Myrtle Beach, SC 29572  
**Mailing Address:** Same  
**County:** Horry  
**Previous Orders:** None  
**Permit/ID Number:** 26-206-08491  
**Summary:** Wil Gengler (Respondent) operates Giant Crab Restaurant located in Myrtle Beach, South Carolina. On June 11, 2013, and October 16, 2013, the Department conducted routine inspections. The Respondent violated the South Carolina Retail Food Establishment Regulations as follows: improper holding temperatures of potentially hazardous foods.

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

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

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

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

DIVISION OF OCEAN AND COASTAL RESOURCE MANAGEMENT

Order Type and Number: Consent Order 13C-008P
Order Date: January 21, 2014

Respondent(s): James A. Smalls Sr. and Annette B. Smalls

Location: 810 Burger St.
Charleston, SC 29407

Mailing Address: 945 Sycamore Ave.
Charleston, SC 29407

County: Charleston

Previous Orders: None

Permit/ID Number: N/A


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

Action: The Respondents are required to: remove the rip-rap revetment and associated fill material from the tidelands critical area; and, pay a stipulated
penalty in the amount of two thousand dollars ($2,000.00) should the Respondent failed to meet any requirement of the Order.

56) Order Type and Number: Consent Order 12C-003P
Order Date: January 21, 2014
Respondent(s): Edward H. Yarborough III and Gail J. Yarborough
Location: 1583 E. Ashley Ave.
Folly Beach, SC 29439
Mailing Address: 153 E. Main St.
Spartanburg, SC 29306
County: Charleston
Previous Orders: None
Permit/ID Number: N/A

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

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

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