

SUMMARY SHEET
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
May 2, 2024

_____ ACTION/DECISION

X INFORMATION

1. **TITLE:** Administrative and Consent Orders issued by the Office of Environmental Affairs.
2. **SUBJECT:** Administrative and Consent Orders issued by the Office of Environmental Affairs during the period March 1, 2024, through March 31, 2024.
3. **FACTS:** For the reporting period of March 1, 2024, through March 31, 2024, the Office of Environmental Affairs issued twenty-three (23) Consent Orders with total assessed civil penalties in the amount of two hundred one thousand, nine hundred seventy dollars (\$201,970.00). Also, five (5) Administrative Orders with total assessed civil penalties in the amount of seven thousand dollars (\$7,000.00) were reported during this period.

| Bureau and Program Area | Administrative Orders | Assessed Penalties | Consent Orders | Assessed Penalties |
|--------------------------------------|-----------------------|--------------------|----------------|---------------------|
| Land and Waste Management | | | | |
| UST Program | 0 | 0 | 5 | \$16,500.00 |
| Solid Waste | 0 | 0 | 2 | \$8,590.00 |
| Hazardous Waste | 0 | 0 | 0 | 0 |
| Mining | 0 | 0 | 1 | \$1,000.00 |
| Radiological Health | 0 | 0 | 0 | 0 |
| Infectious Waste | 0 | 0 | 0 | 0 |
| SUBTOTAL | 0 | 0 | 8 | \$26,090.00 |
| Water | | | | |
| Recreational Water | 0 | 0 | 3 | \$680.00 |
| Drinking Water | 0 | 0 | 3 | \$4,000.00 |
| Water Pollution | 0 | 0 | 5 | \$51,000.00 |
| SUBTOTAL | 0 | 0 | 11 | \$55,680.00 |
| Air Quality | | | | |
| SUBTOTAL | 1 | \$7,000.00 | 3 | \$118,200.00 |
| Environmental Health Services | | | | |
| Onsite Wastewater | 4 | 0 | 1 | \$2,000.00 |
| SUBTOTAL | 4 | 0 | 1 | \$2,000.00 |
| OCRM | | | | |
| SUBTOTAL | 0 | 0 | 0 | 0 |
| TOTAL | 5 | \$7,000.00 | 23 | \$201,970.00 |

Submitted by:

Myra C. Reece
Myra C. Reece
Director of Environmental Affairs

ENVIRONMENTAL AFFAIRS ENFORCEMENT REPORT
BOARD OF HEALTH AND ENVIRONMENTAL CONTROL
May 2, 2024

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

- 1) Order Type and Number: Consent Order 23-0302-UST
 Order Date: March 6, 2024
 Individual/Entity: **Alex Rentals, Inc. and Long Pine
 Properties, Inc.**
 Facility: Circle H 8
 Location: 1610 Fording Island Road
 Hilton Head, SC 29926
 Mailing Address: 1314 North Fulton Street
 Raeford, NC 28376
 County: Beaufort
 Previous Orders: None
 Permit/ID Number: 00991
 Violations Cited: The State Underground Petroleum
 Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-
 2-10 et seq. and § 44-2-60(A)(2018); and South Carolina Underground Storage
 Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.34(c), 280.93(a),
 280.242(b)(3)&(4), and 280.245(a)(2) (2012 & Supp 2023).

Summary: Alex Rentals, Inc. and Long Pine Properties, Inc. (Individual/Entity) own underground storage tanks (USTs) in Beaufort County, South Carolina. The Department conducted a file review and issued a Notice of Alleged Violation on August 15, 2023. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to provide records to the Department upon request; failed to demonstrate financial responsibility for an UST system; failed to validate that monthly requirements had been performed and physically visit each assigned facility at least once a quarter; and failed to maintain a record of designated Class C operators.

Action: The Individual/Entity is required to submit: a completed Certificate of Financial Responsibility and evidence of financial assurance; a current Class A/B Operator/Walkthrough log; and a current list of Class C operators by April 22, 2024. The Department has assessed a total civil penalty in the amount of twenty-seven thousand, one hundred dollars (\$27,100.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand, one hundred dollars (**\$2,100.00**) by April 22, 2024, and pay a suspended penalty in the amount of (\$25,000.00) should any requirement of the Order not

be met.

Update: The Individual/Entity has submitted valid evidence of financial assurance.

2) Order Type and Number: Consent Order 24-0027-UST
Order Date: March 6, 2024
Individual/Entity: **Sam's East, Inc.**
Facility: Sams Club 4879 Fueling Station
Location: 220 Jefferson Davis Highway
Aiken, SC 29801
Mailing Address: 8725 Rosehill Road, Suite 450
Lenexa, KS 66215
County: Aiken
Previous Orders: None
Permit/ID Number: 19661
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.41(b)(1)(i)(A) (2012 & Supp 2023).

Summary: Sam's East, Inc. (Individual/Entity) owns underground storage tanks (USTs) in Aiken County, South Carolina. The Department conducted a routine compliance inspection on July 6, 2023, and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to maintain overfill prevention equipment.

Action: The Individual/Entity corrected all violations prior to issuance of the Order. The Department has assessed a total penalty in the amount of three thousand, six hundred dollars (\$3,600.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, six hundred dollars (**\$3,600.00**) by April 22, 2024.

Update: None.

3) Order Type and Number: Consent Order 24-0033-UST
Order Date: March 6, 2024
Individual/Entity: Prachi One, LLC
Facility: Sav Way 2
Location: 1121 North 5th Street
Hartsville, SC 29550
Mailing Address: 915 West Home Avenue
Hartsville, SC 29550
County: Darlington

Previous Orders: None
Permit/ID Number: 02766
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. §§ 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.20(c)(1)(ii) (2012 and Supp. 2023).

Summary: Prachi One, LLC (Individual/Entity) owns underground storage tanks (USTs) in Darlington County, South Carolina. On November 30, 2023, the Department conducted a routine inspection of the facility and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and South Carolina Underground Storage Tank Control Regulation, as follows: failed to maintain overfill prevention equipment of an underground storage tank system.

Action: The Department has assessed a total civil penalty in the amount of three thousand, six hundred dollars (\$3,600.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, six hundred dollars (**\$3,600.00**) by April 19, 2024.

Update: None

4) Order Type and Number: Consent Order 24-0051-UST
Order Date: March 6, 2024
Individual/Entity: Enmark Stations, Inc.
Facility: Enk 877
Location: 8909 Old Number Six Highway
Santee, SC 29142
Mailing Address: P.O. Box 728
Savannah, GA 31402
County: Orangeburg
Previous Orders: None
Permit/ID Number: 02390
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. §§ 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.20(c)(1)(ii) (2012 and Supp. 2023).

Summary: Enmark Stations, Inc. (Individual/Entity) owns underground storage tanks (USTs) in Darlington County, South Carolina. On January 11, 2024, the Department conducted a routine inspection of the facility and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and South Carolina Underground Storage Tank Control Regulation, as follows: failed to maintain overfill prevention equipment of an underground storage tank system.

Action: The Individual/Entity corrected the violations prior to the issuance of the Order. The Department has assessed a total civil penalty in the amount of three thousand, six hundred dollars (\$3,600.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, six hundred dollars **(\$3,600.00)** by April 19, 2024.

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

- 5) Order Type and Number: Consent Order 24-0046-UST
Order Date: March 11, 2024
Individual/Entity: **Costal Marinas, LLC**
Facility: St. Johns Yacht Habor
Location: 2408 Maybank Highway
Johns Island, SC 29455
Mailing Address: P.O. Box 20755
Charleston, SC 29413
County: Charleston
Previous Orders: None
Permit/ID Number: 19427
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.20(c)(1)(ii) (2012 & Supp 2023).

Summary: Costal Marinas, LLC (Individual/Entity) owns and operates underground storage tanks (USTs) in Charleston County, South Carolina. The Department conducted a routine compliance inspection on January 19, 2024 and issued a Notice of Alleged Violation. The Individual/Entity has violated the SUPERB Act and the South Carolina Underground Storage Tank Regulation, as follows: failed to maintain overfill prevention equipment.

Action: The Individual/Entity corrected all violations prior to issuance of the Order. The Department has assessed a total civil penalty in the amount of three thousand, six hundred dollars (\$3,600.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand, six hundred dollars **(\$3,600.00)** by April 24, 2024.

Update: None.

Solid Waste Enforcement

- 6) Order Type and Number: Consent Order 24-05-SW
Order Date: March 1, 2024
Individual/Entity: **Mining Road Landfill, Inc.**
Facility: Mining Road Landfill, Inc.

Location: 2526 Mineral Mining Road
Kershaw, SC 29067
Mailing Address: Same
County: Lancaster
Previous Orders: None
Permit/ID Number: 292440-1601
Violations Cited: The South Carolina Solid Waste Policy and Management Act of 1991 (Act), S.C. Code Ann. § 44-96-10 et seq. (Rev. 2018 & Supp. 2021) and associated regulations.

Summary: Mining Road Landfill, Inc. (Individual/Entity), is a permitted class 2 landfill 4 in Lancaster County, South Carolina. Based on inspections conducted July 6, August 7, September 6, October 6, and November 16, 2023, the Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act, the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, as follows: failed to maintain the working face and spread at least six (6) inches of cover at least every thirty (30) days.

Action: The Individual/Entity has corrected the violations prior to the issuance of the Order. The Department has assessed a total civil penalty in the amount of three thousand dollars (\$3,000.00). The Individual/Entity shall pay a civil penalty in the amount of three thousand dollars (**\$3,000.00**) by April 14, 2024.

Update: The Individual/Entity has paid the civil penalty. This Order is closed.

7) Order Type and Number: Consent Order 23-15-SW
Order Date: March 18, 2024
Individual/Entity: **Dewayne Pelfrey d.b.a. New Century Construction Company, LLC**
Facility: Wells Highway Class I Landfill
Location: 1160 Wells Highway
Seneca, SC 29067
Mailing Address: 1437 Davis Mill Road
Seneca, SC 29678
County: Oconee
Previous Orders: None
Permit/ID Number: 372649-1701
Violations Cited: The South Carolina Solid Waste Policy and Management Act of 1991 (Act), S.C. Code Ann. § 44-96-10 et seq. (Rev. 2018 & Supp. 2021); Solid Waste Management: Solid Waste Landfills and Structural Fill Regulations (2008 and Supp. 2016) (Regulation), R. 61-107.19, Part I.B.16., and Permit # 372649-1701 (Permit).

Summary: Dewayne Pelfrey d.b.a. new Century Construction Company, LLC (Individual/Entity), is the owner and operator of a permitted Class One Landfill in

Oconee County, South Carolina. Based on inspections conducted September 8, 2022, November 21, 2022, January 5, 2023, and April 20, 2023, the Individual/Entity has violated the South Carolina Solid Waste Policy and Management Act, the Solid Waste Management: Solid Waste Landfills and Structural Fill Regulation, and the Permit, as follows: failed to restrict all solid waste material to the working face of the landfill; failed to reduce the working face to an area that is better managed; failed to reduce the working face to a 3:1 slope and no more than ten (10) feet in height; and failed to slope the disposal area to prevent erosion and ponding.

Action: The Individual/Entity is required to: restrict all solid waste material to the working face of the landfill; reduce the working face to an area that is better managed; reduce the working face to a 3:1 slope and more than ten (10) feet in height; and slope the disposal area to prevent erosion and ponding by May 2, 2024. The Department has assessed a total civil penalty in the amount of five thousand, five hundred ninety dollars (\$5,590.00). The Individual/Entity shall pay a civil penalty in the amount of five thousand, five hundred ninety dollars (**\$5,590.00**) by May 2, 2024.

Update: None.

Mining Enforcement

8) Order Type and Number: Consent Order 24-03-MSWM
Order Date: March 1, 2024
Individual/Entity: **Green Acres Farm and Construction Co., Inc.**
Facilities: Leitzsey Mine
Locations: Leitzsey Road (Tax Map #682-3)
Pomaria, SC
Mailing Address: P.O. Box 197
Pomaria, SC 29126
County: Newberry
Previous Orders: None
Permit/ID Number: N/A
Violations Cited: The South Carolina Mining Act (Act) S.C. Code Ann., § 48-20-10 et seq. (2008 and 2018); and South Carolina Mining Regulations, S.C. Code Ann., Regs., R.89 (2012) Section 20.

Summary: Green Acres Farm and Construction Co, Inc. (Individual/Entity) owns the Leitzsey Mine located in Newberry County, South Carolina. On March 17, 2022, the Department conducted an inspection of the Leitzsey mine, (Tax Map #682-3). The Individual/Entity has violated the Act, and the South Carolina Mining Regulations, as follows: conducted mining activities without first being issued an Individual Mining Operating Permit from the Department.

Action: The Individual/Entity is required to submit all remaining supplemental information required to process the mining application submitted November 16, 2022, or begin reclamation tasks to include: submission of an updated reclamation schedule to include the two growing seasons, and completion of reclamation within seven hundred thirty (730) days of the execution date of the Consent Order; create final slopes in all excavation areas at an angle as to minimize the possibility of slides and consistent with the future use of the land and not steeper than a 3:1 slope; use appropriate conservation practices for controlling both on-site and off-site erosion and siltation; and establish, on a continuing basis, the vegetative cover and soil stability appropriate to the area, in that the area should be seeded with native grasses or other suitable ground cover to establish and maintain, into the second growing season, a 75% or greater permanent vegetive cover with no substantial bare spots. The Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**) by April 15, 2024.

Update: None

BUREAU OF WATER

Recreational Waters Enforcement

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| 9) <u>Order Type and Number:</u> | Consent Order 24-043-RW |
| <u>Order Date:</u> | March 1, 2024 |
| <u>Individual/Entity:</u> | Granby Millpond NRDE, LLC |
| <u>Facility:</u> | Granby Crossing |
| <u>Location:</u> | 100 Granby Crossing Cayce, SC 29033 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Lexington |
| <u>Previous Orders:</u> | None |
| <u>Permit/ID Number:</u> | 32-149-1 |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-51(J) |

Summary: Granby Millpond NRDE, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Lexington County, South Carolina. The Department conducted inspections on June 15, 2023, and August 3, 2023, and violations were issued for failure to properly operate and maintain. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: there was debris in the skimmer baskets; a skimmer was missing a weir; skimmer baskets were floating; there was no drinking water fountain; a minimum six inch air gap was not maintained at the backwash discharge point; the pool equipment room was not locked; a gate did not self-close and latch; a section of the perimeter fence had openings greater

than four inches; the chlorine level was not within the acceptable range of water quality standards; the life ring was not United States Coast Guard approved; the shepherd's crook was not properly mounted in its designated location and was not clear of obstructions; the bound and numbered log book was not maintained on a daily basis and was not maintained a minimum of three times per week by the pool operator of record; the cyanuric acid level was not checked weekly; and the water level was too low.

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

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

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| 10) <u>Order Type and Number:</u> | Consent Order 24-044-RW |
| <u>Order Date:</u> | March 11, 2024 |
| <u>Individual/Entity:</u> | Shiv of Orangeburg, LLC |
| <u>Facility:</u> | Quality Inn and Suites |
| <u>Location:</u> | 3671 Saint Matthews Road Orangeburg, SC 29118 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Orangeburg |
| <u>Previous Orders:</u> | None |
| <u>Permit/ID Number:</u> | 38-064-1 |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-51.J.22 |

Summary: Shiv of Orangeburg, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in Orangeburg County, South Carolina. The Department issued a Notice of Enforcement Conference on January 11, 2024, as a result of a review of inspection records. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to fill in or remove the pool, which has been permanently closed for a period in excess of twenty-four consecutive months.

Action: The Individual/Entity is required to: cover the pool with a commercially manufactured pool cover or drain the pool of stagnant water and contact Department staff to schedule an inspection for Department staff to verify completion of the work by April 10, 2024; correct all deficiencies and any upgrades required to bring the pool into compliance with Regulation 61-51, and contact the Department to schedule an inspection to verify completion of the work by August 8, 2024. The Individual/Entity will be required to properly fill in or remove the pool within sixty days of the date of written notification by the Department if the requirement to bring the pool into compliance with Regulation 61-51 is not met within the specified timeline. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four hundred dollars (**\$400.00**) should any requirement of the Order not be met.

Update: The Individually/Entity has completed the requirement to drain the pool of stagnant water.

11) Order Type and Number: Consent Order 24-045-RW
Order Date: March 18, 2024
Individual/Entity: **Forest Villas Horizontal Property Regime, LLC**
Facility: Forest Villas Townhouses
Location: 1828 Ebenezer Road
Rock Hill, SC 29732
Mailing Address: P.O. Box 2141
Rock Hill, SC 29745
County: York
Previous Orders: None
Permit/ID Number: 46-045-1
Violations Cited: S.C. Code Ann. Regs. 61-51.J.22

Summary: Forest Villas Horizontal Property Regime, LLC (Individual/Entity) owns and is responsible for the proper operation and maintenance of a pool located in York County, South Carolina. The Department issued a Notice of Enforcement Conference on February 2, 2024, as a result of a review of inspection records. The Individual/Entity has violated the Public Swimming Pools Regulation as follows: failed to fill in or remove the pool, which has been permanently closed for a period in excess of twenty-four consecutive months.

Action: The Individual/Entity is required to: close and lock all entrance gates and the pool equipment room, post "Pool Closed" signs around or inside the pool enclosure and on all entrance gates, and contact Department staff to schedule an inspection for Department staff to verify that the work has been completed by April 18, 2024; submit to the Department for review and approval, a plan of action detailing the procedure and materials used to properly fill-in or remove the pool and remove the water and drainage connections by April 18, 2024; properly fill-in or remove the pool, remove the water and drainage connections in accordance with the approved plan of action, and contact the Department to verify the completed work by May 18, 2024. The Department has assessed a total civil penalty in the amount of four hundred dollars (\$400.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four hundred dollars (**\$400.00**) should any requirement of the Order not be met.

Update: The Individual/Entity has completed the requirement to close and lock the equipment room and all gates, and to post "Pool Closed" signs.

Drinking Water Enforcement

- 12) Order Type and Number: Consent Order 24-014-DW
 Order Date: March 18, 2024
 Individual/Entity: **City of Denmark**
 Facility: City of Denmark
 Location: 64 City Hall Street
 Mailing Address: Denmark, SC 29042
 County: Bamberg
 Previous Orders: None
 Permit/ID Number: 0510002
 Violations Cited: S.C. Code Ann. Regs. 61-58.17.K(1)(b)

Summary: The City of Denmark (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Bamberg County, South Carolina. On January 18, 2024, a violation was issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the PWS tested present for total coliform and E. coli, which resulted in a violation of the maximum contaminant level for E. coli.

Action: The Individual/Entity is required to: submit an investigative report and a corrective action plan with a schedule to address the causes of the total coliform and E. coli present results at the PWS by April 18, 2024. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

Update: None.

- 13) Order Type and Number: Consent Order 24-016-DW
 Order Date: March 18, 2024
 Individual/Entity: **Brown's Creek Water Co., Inc.**
 Facility: Brown's Creek Water Co., Inc.
 Location: 4287 Lockhart Highway
 Union, SC 29379
 Mailing Address: Same
 County: Union
 Previous Orders: None
 Permit/ID Number: 4420002
 Violations Cited: S.C. Code Ann. Regs. 61-58.5.P(2)(b)

Summary: Brown's Creek Water Co., Inc. (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Union County, South Carolina. On January 5, 2024, a violation was issued as a

result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: the PWS exceeded the maximum contaminant level (MCL) for total trihalomethanes.

Action: The Individual/Entity is required to: submit a corrective action plan with a schedule to address the MCL violation by September 1, 2024. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a **stipulated penalty** in the amount of four thousand dollars (**\$4,000.00**) should any requirement of the Order not be met.

Update: None.

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| 14) <u>Order Type and Number:</u> | Consent Order 24-018-DW |
| <u>Order Date:</u> | March 28, 2024 |
| <u>Individual/Entity:</u> | Town of Norway |
| <u>Facility:</u> | Town of Norway |
| <u>Location:</u> | 8403 Savannah Highway Norway, SC 29113 |
| <u>Mailing Address:</u> | P.O. Box 127 Norway, SC 29113 |
| <u>County:</u> | Orangeburg |
| <u>Previous Orders:</u> | None |
| <u>Permit/ID Number:</u> | 3810008 |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-58.11.B(8) |

Summary: The Town of Norway (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Orangeburg County, South Carolina. On January 30, 2024, a violation was issued as a result of review of monitoring records. The Individual/Entity has violated the State Primary Drinking Water Regulation as follows: failed to collect the minimum number of lead and copper samples during the July 2023 – December 2023 six-month monitoring period.

Action: The Individual/Entity is required to: monitor for lead and copper during the January 2024 – June 2024 six-month monitoring period; and submit a standard operating procedure for lead and copper monitoring by April 28, 2024. The Department has assessed a total civil penalty in the amount of four thousand dollars (\$4,000.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**) by April 28, 2024.

Update: None.

Water Pollution Enforcement

- 15) Order Type and Number: Consent Order 24-015-W
Order Date: March 7, 2024
Individual/Entity: **Blue Granite Water Company**
Facility: BGW/Oakland Plantation SD WWTP
Location: SC Hwy. #97, approximately 1.2 miles north of I-85 in Anderson County
Mailing Address: 130 S Main St Suite 800
Greenville, SC 29601
County: Sumter
Previous Orders: None
Permit/ID Number: SC0030678
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110 (d) and the Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41(a).

Summary: Blue Granite Water Company (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Sumter County, South Carolina. On August 16, 2023, a Notice of Violation (NOV) was issued as a result of violations of the permitted discharge limits for chronic toxicity (CTOX) as reported on the discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act, and the Water Pollution Control Permits Regulation as follows: failed to comply with the permitted effluent limitations for CTOX.

Action: The Individual/Entity is required to: submit written notification of the planned completion date for all corrective actions necessary to resolve the effluent violations for CTOX April 6, 2024; conduct a Toxicity Identification Evaluation/Toxicity Reduction Evaluation (TIE/TRE); and upon completion of corrective actions and the TIE/TRE, submit a passing CTOX test. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**) by April 6, 2024.

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

- 16) Order Type and Number: Consent Order 24-016-W
Order Date: March 28, 2024
Individual/Entity: **Kiawah River Utility Company**
Facility: Kiawah River Utility Company Wastewater Treatment Facility
Location: Intersection of Mullet Rd and Bonneau Rd
Charleston, SC
Mailing Address: 320 Broad Street, Suite 600

Charleston, SC 29401
County: Charleston
Previous Orders: 23-039-W (\$4,000.00)
24-003-W (\$4,000.00)
Permit/ID Number: State Land Application Permit
ND0088897
Violations Cited: Pollution Control Act, S.C Code Ann § 48-
1- 110 (d) and the Water Pollution Control Permits, S.C. Code Ann Regs. 61-
9.122.41 (a).

Summary: Kiawah River Utility Company (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) located in Charleston County, South Carolina. On August 24, 2023, a Notice of Violation was issued as a result of violations of the permitted discharge limits for fecal coliform (fecal) as reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and the Water Pollution Control Permits Regulation as follows: failed to comply with the permitted effluent discharge limits for fecal.

Action: The Individual/Entity is required to: submit a written notification of the planned completion date for all corrective actions necessary to resolve the violations by April 27, 2024; conduct a six (6) event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a civil penalty in the amount of five thousand dollars (**\$5,000.00**) by April 27, 2024.

Update: None

17) Order Type and Number: Consent Order 24-017-W
Order Date: March 28, 2024
Individual/Entity: **City of Florence**
Facility: Florence Main Plant
Location: 1000 Stockade Road
Florence, SC 29501
Mailing Address: 324 West Evans Street
Florence, SC 29501
County: Florence
Previous Orders: 21-031-W (\$3,400.00)
Permit/ID Number: SC0045462
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-
1-110 (d) and the Water Pollution Control Permits, S.C. Code Ann Regs. 61-
9.122.41(a).

Summary: City of Florence (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Florence County, South Carolina. On April 25, 2023, and August 9, 2023, Notices of Violations (NOVs) were issued as a result of violations of the permitted discharge limits for total suspended solids (TSS) and Escherichia coli (E. coli) as reported on the discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act, and the Water Pollution Control Permits Regulation as follows: failed to comply with the permitted effluent limitations for TSS and E. coli.

Action: The Individual/Entity is required to: submit written notification of the planned completion date for all corrective actions necessary to resolve the effluent violations for TSS and E. coli by April 27, 2024; conduct a six (6) event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of fourteen thousand dollars (\$14,000.00). The Individual/Entity shall pay a civil penalty in the amount of fourteen thousand dollars (**\$14,000.00**) by April 27, 2024.

Update: None

18) Order Type and Number: Consent Order 24-018-W
Order Date: March 28, 2024
Individual/Entity: **City of Florence**
Facility: Florence Main Plant
Location: 1000 Stockade Road
Florence, SC 29501
Mailing Address: 324 West Evans Street
Florence, SC 29501
County: Florence
Previous Orders: 21-031-W (\$3,400.00)
Permit/ID Number: SC0045462
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-90(A)(1) (2008 & Supp. 2019).

Summary: City of Florence (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Florence County, South Carolina. On December 20, 2022, the Department conducted an Environmental Complaint Evaluation. The Individual/Entity has violated the Pollution Control Act as follows: discharged untreated wastewater into the environment and the waters of the State.

Action: The Individual/Entity corrected the violations prior to the issuance of the Consent Order. The Department has assessed a total civil penalty in the amount of twenty thousand dollars (\$20,000.00). The Individual/Entity shall pay a civil penalty in the amount of twenty thousand dollars (**\$20,000.00**) by April 27, 2024.

Update: None

- 19) Order Type and Number: Consent Order 24-019-W
Order Date: March 28, 2024
Individual/Entity: **Anderson County Wastewater Management**
Facility: Anderson CO WW MGMT
Location: SC Hwy. #97, approximately 1.2 miles north of I-85 in Anderson County
Mailing Address: 1500 Dalrymple Road
Anderson, SC 29621
County: Anderson
Previous Orders: None
Permit/ID Number: SC0040193
Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-110 (d) and the Water Pollution Control Permits, S.C. Code Ann Regs. 61-9.122.41(a).

Summary: Anderson County Wastewater Management (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Anderson County, South Carolina. On July 27, 2023, a Notice of Violation (NOV) was issued as a result of violations of the permitted discharge limits for Escherichia coli (E. coli) as reported on the discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act, and the Water Pollution Control Permits Regulation as follows: failed to comply with the permitted effluent limitations for E.coli.

Action: The Individual/Entity is required to: submit written notification of the planned completion date for all corrective actions necessary to resolve the effluent violations for E. coli by April 27, 2024; conduct a six (6) event compliance confirmation period upon completion of corrective actions; and implement engineered upgrades to the WWTF should additional violations be observed during the compliance confirmation period. The Department has assessed a total civil penalty in the amount of seven thousand dollars (\$7,000.00). The Individual/Entity shall pay a civil penalty in the amount of seven thousand dollars (**\$7,000.00**) by April 27, 2024.

Update: None

BUREAU OF AIR QUALITY

- 20) Order Type and Number: Administrative Order 24-011-A
Order Date: March 24, 2024

Individual/Entity: **David Poston, Individually and D.B.A. David's Custom Sawmilling and Wood Products**

Facility: David's Custom Sawmilling and Wood Products

Location: 4912 York Hwy
Rock Hill SC 29732

Mailing Address: Same

County: York

Previous Orders: None

Permit/ID Number: None

Violations Cited: S.C. Code Ann. Regs. 61-62.2 (Supp. 2022),
Prohibition of Open Burning

Summary: David Poston (Individual/Entity) operates a sawmill in York County South Carolina. On March 2, 2022, March 8, 2022, June 21, 2022, June 29, 2022, and July 25, 2022, the Department conducted investigations at a property located at the facility in response to complaints of open burning. The Individual/Entity violated South Carolina Air Pollution Control Regulations, as follows: burned materials other than those allowed by Section I of the Regulations, specifically sawmill wood waste and other vegetative material that is generated off-site.

Action: The Individual/Entity is required to: henceforth cease all open burning except as allowed by the regulation. The Department has assessed a total civil penalty in the amount of seven thousand dollars (\$7,000.00). The Individual/Entity shall pay a penalty in the amount seven thousand dollars (**\$7,000.00**) by April 23, 2024.

Update: None

21) Order Type and Number: Consent Order #24-008-A

Order Date: March 14, 2024

Individual/Entity: **SRM-Bluffton**

Facility: SRM-Bluffton

Location: 45 Sheridan Park Circle
Bluffton, SC 29910

Mailing Address: 1000 Hollingshead Circle
Murfeesboro, TN 37129

County: Beaufort

Previous Orders: None

Permit/ID Number: 9900-0752

Violations Cited: S.C Code Ann. Regs. 61-62.5, Standard No. 4, and S.C. Code Ann. Regs 61-62.1, Section II *Permit Requirements*

Summary: SRM-Bluffton (Individual/Entity) operates a truck mix, concrete batch plant located in Beaufort County, South Carolina. On April 11, 2023, the Department

conducted a comprehensive inspection. The Individual/Entity has violated South Carolina Air Pollution Control Regulations, as follows: failed to maintain dust control on the premises; failed to maintain filter maintenance logs for the dust collection system (CD01); failed to have CD-01 on-line and operating properly when sources controlled by it were in operation; failed to maintain all required records available for review on-site; failed to maintain an exempt source list along with any necessary documentation to support the determination that the sources are exempt; and, failed to pay Environmental Protection Fees.

Action: The Individual/Entity is required to comply with all terms and conditions of the General State Operating Permit for Concrete Plants; henceforth implement a plan to prevent excess fugitive particulate matter from escaping into the ambient air from its facility, including any road it controls; pay all outstanding fees owed; and submit to the Department a list of sources claimed as exempt. The Department has assessed a total civil penalty in the amount of twenty thousand dollars (\$20,000.00). The Individual/Entity shall pay a penalty in the amount of twenty thousand dollars (**\$20,000.00**) by April 1, 2024.

Update: The Individual/Entity has paid all outstanding Environmental Protection Fees to the Department and the civil penalty.

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|-----------------------------------|---|
| 22) <u>Order Type and Number:</u> | Consent Order # 24-009-A |
| <u>Order Date:</u> | March 14, 2024 |
| <u>Individual/Entity:</u> | APAC-Hardeeville |
| <u>Facility:</u> | APAC- Hardeeville Plant |
| <u>Location:</u> | 513 Industrial Park Road Hardeeville, SC 29927 |
| <u>Mailing Address:</u> | 47 Telfair Place Savannah, GA 31415 |
| <u>County</u> | Jasper |
| <u>Previous Orders:</u> | None |
| <u>Permit/ID Number:</u> | 9900-0271 |
| <u>Violations Cited:</u> | U.S. EPA 40CFR60.92(a)(1), S.C. Code Ann. Regs. 61-62.60.92(a)(1), and S.C. Code Ann. Regs. 61-62.1, Section II, <i>Permit Requirements</i> |

Summary: APAC-Hardeeville (Individual/Entity) is a hot mix asphalt plant located in Jasper County, South Carolina. The Department received source test results from tests conducted on August 25, 2023. The Individual/Entity has violated South Carolina Air Pollution Control Regulations, as follows: failed to limit Particulate Matter (PM) emissions on the asphalt plant baghouse exhaust (“BH”) to 0.04 gr/dscf.

Action: The Individual/Entity is required to comply with all terms and conditions of the General State Operating Permit for Concrete Plants; henceforth maintain compliance with all applicable emission limits specified in the Permit and Subpart I; and

conduct a performance test on the BH for PM no later than July 20, 2024, and every two years after. The Department has assessed a total civil penalty in the amount of ten thousand dollars (\$10,000.00). The Individual/Entity shall pay a penalty in the amount of ten thousand dollars (**\$10,000.00**) by March 27, 2024.

Update: On November 27, 2023, the Department received a test report for a Department approved performance test conducted on the BH. The result indicated compliance with the 0.04gr/dscf limit for PM.

23) Order Type and Number: Consent Order 24-010-A
Order Date: March 18, 2024
Individual/Entity: **SC STEEL LLC**
Facility: SC Steel LLC
Location: 114 East Warehouse Road
Taylors, South Carolina
Mailing Address: Same
County: Greenville
Previous Orders: NA
Permit/ID Number: CM-1200-0362
Violations Cited: S.C. Code Ann. Regs. 61-62.1 Section II,
Permit Requirements

Summary: SC Steel (Individual/Entity), fabricates and finishes steel beams at its facility located in Greenville County, South Carolina. On November 11, 2023, the Department conducted a comprehensive inspection at SC Steel. The Individual/Entity has violated South Carolina Air Pollution Control Regulations, as follows: failed to limit emissions of a single HAP, specifically xylene, to 10 TPY during the months of July 2021 and August 2021 and April to October 2023, and failed to limit emissions of total HAPs to 25 TPY during the months of June to October 2023.

Action: The Individual/Entity corrected the violations prior to the issuance of the Order. The Department has assessed a total civil penalty in the amount of eighty-eight thousand two hundred dollars (\$88,200.00). The Individual/Entity shall pay a penalty in the amount of eighty-eight thousand two hundred dollars (**\$88,200.00**) by April 17, 2024.

Update: None.

Mailing Address: P.O. Box 1765
Hemingway, SC 29554
County: Williamsburg
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Janet McConnell (Individual/Entity) owns property located in Williamsburg County, South Carolina. The Department conducted an investigation on January 8, 2024, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

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

Update: Regional staff asked to revisit week of April 1, 2024.

26) Order Type and Number: Administrative Order 24-011-OSWW
Order Date: March 12, 2024
Individual/Entity: **Ronald B. Harris**
Facility: Ronald B. Harris
Location: 148 Cedar Road
Marietta, SC 29661
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Ronald B. Harris (Individual/Entity) owns property located in Pickens County, South Carolina. The Department conducted an investigation on June 20, 2023, and observed an occupied recreational vehicle at the site without being connected to an OSWW system. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that a building, unit, or dwelling is occupied for more than two (2) hours per day without being connected to an approved means of domestic wastewater treatment and disposal system.

Action: The Individual/Entity is required to install the permitted OSWW system within ten (10) days; or immediately vacate the recreational vehicle to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

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

27) Order Type and Number: Administrative Order 24-015-OSWW
Order Date: March 12, 2024
Individual/Entity: **Derrick Stevens**
Facility: Derrick Stevens
Location: 5414 State Park Road
Travelers Rest, SC 29690
Mailing Address: Same
County: Greenville
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Derrick Stevens (Individual/Entity) owns property located in Greenville County, South Carolina. The Department conducted an investigation on January 19, 2024, and observed domestic wastewater discharging onto the surface of the ground. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that no septic tank effluent, domestic wastewater, or sewage was discharged to the surface of the ground without an appropriate permit from the Department.

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

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

28) Order Type and Number: Consent Order 24-010-OSWW
Order Date: March 29, 2024
Individual/Entity: **Justin Winegar, DBA Dunnrite Excavating**

Facility: Justin Winegar, DBA Dunnrite Excavating
Location: Highway 14
Moore, SC 39369
Mailing Address: 5342 Clark Road, #118
Sarasota, FL 34233
County: Spartanburg
Previous Orders: None
Permit Number: None
Violations Cited: S.C. Code Ann. Regs. 61-56

Summary: Justin Winegar, DBA Dunnrite Excavating, (Individual/Entity) installed an OSWW system on property located in Greenville County, South Carolina. The Department conducted a final inspection on November 15, 2023, and observed violations of the regulation and permit to construct. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to ensure that all systems for which the licensee is responsible are constructed, repaired, and cleaned in accordance with S.C. Regulation 61-56 and permits issued by the Department; failed to leave the OSWW system uncovered until the scheduled Final Inspection; failed to install the drainline trenches with seven feet (7') of undisturbed soil between each trench; and failed to ensure drainlines were installed with less than two inches (2") of elevation differential over the drainline.

Action: The Individual/Entity is required to cease and desist installing OSWW system outside the parameters of the permit to construct and the regulation. The Department has assessed a total civil penalty in the amount of two thousand dollars (\$2,000.00). The Individual/Entity shall pay a civil penalty in the amount of two thousand dollars (**\$2,000.00**).

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

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