

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

_____ ACTION/DECISION

 X INFORMATION

41 **TITLE:** Administrative and Consent Orders issued by the Office of Environmental Affairs.

51 **SUBJECT:** Administrative and Consent Orders issued by the Office of Environmental Affairs during the period February 1, 2022, through February 28, 2022.

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

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

Submitted by:



Myra C. Reece
Director of Environmental Affairs

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

BUREAU OF LAND AND WASTE MANAGEMENT

Underground Storage Tank Enforcement

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

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

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

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

2) Order Type and Number: Consent Order 20-0274-UST
Order Date: February 10, 2022
Individual/Entity: **SC Department of Corrections**
Facility: Allendale Correctional Institution
Location: 1057 Revolutionary Trail
Fairfax, SC 29827
Mailing Address: P.O. Box 21787
Columbia, SC 29221-1787
County: Allendale
Previous Orders: None
Permit/ID Number: 10930
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. §§ 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.40(a), 280.40(a)(3), and 280.41(a)(1) (2012 and Supp. 2020).

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

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

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

3) Order Type and Number: Consent Order 21-0534-UST
Order Date: February 10, 2022
Individual/Entity: **North Pole Investments, Inc.**
Facility: Express Mart
Location: 2620 South Kings Highway
Myrtle Beach, SC 29577
Mailing Address: Same
County: Horry

Previous Orders: None
Permit/ID Number: 05171
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. §§ 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.65 (2012 and Supp. 2020).

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

Action: The Individual/Entity is required to submit a Groundwater Sampling report by March 28, 2022. The Department has assessed a total civil penalty in the amount of two thousand, three hundred forty-five dollars (\$2,345.00). The Individual/Entity shall pay a **suspended penalty** in the amount of two thousand, three hundred forty-five dollars (**\$2,345.00**) should any requirement of the Order not be met.

Update: None.

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

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

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

Update: None.

- 5) Order Type and Number: Consent Order 21-0621-UST
Order Date: February 18, 2022
Individual/Entity: **Oham Shanti, Inc.**
Facility: Oham Shanti, Inc.
Location: 211 North Mine Street
McCormick, SC 29835
Mailing Address: 144 Kimmeridge Drive
Macon, GA 31220
County: McCormick
Previous Orders: None
Permit/ID Number: 17671
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. Code Ann. §§ 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs. 61-92, 280.242 (2012 and Supp. 2020).

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

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

Update: The civil penalty has been paid.

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

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

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

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

7) Order Type and Number: Consent Order 22-0004-UST
Order Date: February 18, 2022
Individual/Entity: **Ingles Markets, Inc.**
Facility: Ingles Gas Express 200
Location: 4600 Highway 9
Spartanburg, SC 29349
Mailing Address: P.O. Box 6626
Asheville, NC 28816
County: Horry
Previous Orders: None
Permit/ID Number: 19101
Violations Cited: The State Underground Petroleum Environmental Response Bank Act of 1988 (SUPERB Act), S.C. code Ann. § 44-2-10 et seq. (2018); and South Carolina Underground Storage Tank Control Regulation, 7 S.C. Code Ann., Regs 61-92, 280.10(d) (2012 & Supp 2020).

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

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

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

Solid Waste Enforcement

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

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

Action: The Individual/Entity is required to: immediately ensure the fire and any hot spots below the covered surface are extinguished entirely; complete closure activities and submit a closure certification report for Section A of the Landfill Closure Sequence

Map by April 25, 2022; complete closure activities and submit a closure certification report for Section D by October 21, 2022; and seed Sections A through D with native grasses within thirty (30) days of the Department's certification of the cap for each Section. The Department has assessed a total civil penalty in the amount of five thousand, nine hundred dollars (\$5,900.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand, nine hundred dollars (**\$5,900.00**) should any requirement of the Order not be met.

Update: None.

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

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

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

the land or a portion thereof has been landfilled; and submit a copy of the recorded deed notation to the Department by September 22, 2022. The Department has assessed a total civil penalty of three thousand, five hundred dollars (\$3,500.00). The Individual/Entity shall pay a civil penalty of three thousand, five hundred dollars (**\$3,500.00**) by April 11, 2022.

Update: None.

Hazardous Waste Enforcement

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

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

Action: The Individual/Entity has corrected all violations. The Department has assessed a total civil penalty in the amount of eight thousand, five hundred dollars

(\$8,500.00). The Individual/Entity shall pay a civil penalty in the amount of eight thousand, five hundred dollars (**\$8,500.00**) by March 1, 2022.

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

- 11) Order Type and Number: Consent Order 22-04-HW
Order Date: February 03, 2022
Individual/Entity: **Clemson University**
Facility: Clemson University
Location: 391 College Avenue, Suite 104
Clemson, SC 29631
Mailing Address: Same
County: Pickens
Previous Orders: None
Permit/ID Number: SCD042629816
Violations Cited: The South Carolina Hazardous Waste Management Act, S.C. Code Ann. §§ 44-56-10 et seq. (2018), and the South Carolina Hazardous Waste Management Regulation, 6 and 7 S.C. Code Ann. Regs. 61-79 (2012 and Supp. 2018).

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

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

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

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

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

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

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

Infectious Waste Enforcement

- 13) Order Type and Number: Consent Order 21-04-IW
Order Date: February 3, 2022
Individual/Entity: **Colleton Medical Center**
Facility: Colleton Medical Center
Location: 501 Robertson Boulevard
Walterboro, SC 29588
Mailing Address: Same
County: Colleton
Previous Orders: None

Permit/ID Number: SC15-0015G
Violations Cited: The South Carolina Infectious Waste Management Act, S.C. Code ann. §§ 44-93-10 et seq. (2002); and the South Carolina Infectious Waste Management Regulation, 8. S.C. Code Ann. Regs. 61-105 (2010).

Summary: Colleton Medical Center (Individual/Entity), operates a general acute care facility located in Colleton County, South Carolina. The Department conducted an open investigation on October 21, 2021. The Individual/Entity has violated the South Carolina Infectious Waste Management Act and the South Carolina Infectious Waste Management Regulation as follows: failed to segregate infectious waste at the point of generation; failed to properly manage infectious waste; failed to offer infectious waste for offsite transport only to a registered transporter; failed to package infectious waste in accordance with the regulations; failed to place and maintain all sharps in a rigid, leak-resistant, and puncture resistant containers; failed to place, store, and maintain all other types of infectious waste during transport in rigid or semirigid leak-resistant containers; failed to use containers that had sufficient strength to prevent bursting and tearing; failed to use plastic bags that were red or orange color and had sufficient strength to prevent tearing; failed to contain infectious waste in containers that were appropriate for storage, transportation, and treatment processes; failed to properly label containers of infectious waste; failed to treat infectious waste prior to disposal; and failed to report to the Department within twenty-four (24) hours and investigate and confirm all suspected releases of infectious waste.

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

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

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

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

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

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

15) Order Type and Number: Consent Order 22-03-IW
Order Date: February 3, 2022
Individual/Entity: **VF Partners-CHS, LLC DBA Thrive Total Wellness**
Facility: VF Partners-CHS, LLC DBA Thrive Total Wellness
Location: 138 St. Philip Street
Charleston, SC 29403
Mailing Address: Same
County: Charleston
Previous Orders: None
Permit/ID Number: IWG002313
Violations Cited: The South Carolina Infectious Waste Management Act, S.C. Code ann. §§ 44-93-10 et seq. (2002) and the South Carolina Infectious Waste Management Regulation, 8. S.C. Code Ann. Regs. 61-105 (2010).

Summary: VF Partners-CHS, LLC DBA Thrive Total Wellness (Individual/Entity) is a wellness intravenous spa located in Charleston County, South Carolina. The Department conducted an open investigation in response to a complaint on

July 21, 2021. The Individual/Entity has violated the South Carolina Infectious Waste Management Act and the South Carolina Infectious Waste Management Regulation as follows: failed to register with the Department in writing on a Department approved form as an infectious waste generator.

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

Update: None

BUREAU OF WATER

Recreational Waters Enforcement

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

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

inspection; and there were chemical readings in the bound and numbered log book that had been entered in advance on the second inspection.

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

Update: The civil penalty has been paid.

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

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

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

Update: The civil penalty has been paid.

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

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

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

Update: The civil penalty has been paid.

Drinking Water Enforcement

- 19) Order Type and Number: Consent Order 22-004-DW
Order Date: February 1, 2022
Individual/Entity: **Deep South Plantation, LLC**
Facility: Deep South Plantation
Location: 5794 North Jupiter Hill Road
Adams Run, SC 29426
Mailing Address: P.O. Box 86

| | |
|--------------------------|--|
| | Adams Run, SC 29426 |
| <u>County:</u> | Charleston |
| <u>Previous Orders:</u> | None |
| <u>Permit/ID Number:</u> | 1060067 |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-58.7 & 61-58.8.B |

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

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

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

| | | |
|-----|-------------------------------|---|
| 20) | <u>Order Type and Number:</u> | Consent Order 22-005-DW |
| | <u>Order Date:</u> | February 7, 2022 |
| | <u>Individual/Entity:</u> | Ellore Commission of Public Works |
| | <u>Facility:</u> | Town of Ellore |
| | <u>Location:</u> | 2623 E Cleveland Street Ellore, SC 29047 |
| | <u>Mailing Address:</u> | P.O. Box 170 Ellore, SC 29047 |
| | <u>County:</u> | Orangeburg |
| | <u>Previous Orders:</u> | None |
| | <u>Permit/ID Number:</u> | 3810003 |

Violations Cited:
58.7.D(2)

S.C. Code Ann. Regs. 61-58.7 & 61-

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

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

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

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

Summary: The Town of Allendale (Individual/Entity) owns and is responsible for the proper operation and maintenance of a public water system (PWS) located in Allendale County, South Carolina. The Department conducted an inspection on December 1, 2021, and the PWS was rated unsatisfactory for failure to properly operate and maintain. The Individual/Entity has violated the State Primary Drinking Water

Regulation as follows: there was an old well that was no longer in service that had not been properly abandoned; there was a partially constructed well that was open to the elements; the chlorine cylinder scales and fan in the chlorine room were not operational; a section of the perimeter fencing around the Spruce Street Tank was missing; fire flow records were not provided for Department review; and a procedures manual with monitoring records, programs and logs was not provided for Department review.

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

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

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

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

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

Individual/Entity shall pay a civil penalty in the amount of four thousand dollars (**\$4,000.00**) by March 18, 2022.

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

Water Pollution Enforcement

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

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

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

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

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

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

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

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

25) Order Type and Number: Consent Order 22-012-W
Order Date: February 16, 2022
Individual/Entity: **Lennar Carolinas LLC**
Facility: Tree Tops Construction Site
Location: 2 miles southeast of Hwy 521 in Lancaster, SC
Mailing Address: 6701 Carmel Road, Suite 425
Charlotte, NC 28226
County: Lancaster
Previous Orders: None
Permit/ID Number: SCR10W518

Violations Cited: Pollution Control Act, S.C. Code Ann. § 48-1-90 (A) (2008 & Supp. 2021) and Water Pollution Control Permits Regulation, S.C. Code Ann Regs. 61-9.122.41(a) and (e) (2011).

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

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

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

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

Summary: Clarendon County (Individual/Entity) owns and is responsible for the proper operation and maintenance of a wastewater treatment facility (WWTF) in Clarendon County, South Carolina. On June 22, 2021, a Notice of Violation (NOV) was issued as a result of fecal coliform (fecal) violations reported on discharge monitoring reports submitted to the Department. The Individual/Entity has violated the Pollution Control Act and Water Pollution Control Permits Regulations as follows: failed to comply with the fecal effluent limitations of its State Land Application Permit.

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

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

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

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

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

Update: None.

BUREAU OF ENVIRONMENTAL HEALTH SERVICES

Food Safety Enforcement

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

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

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

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

29) Order Type and Number: Consent Order 21-37-FOOD
Order Date: February 3, 2022
Individual/Entity: **Chaac Chicken Southeast LLC DBA
Bojangles #951**
Facility: Chaac Chicken Southeast LLC DBA
Bojangles #951
Location: 656 Highway 28 Bypass

Mailing Address: Anderson, SC 29626
7750 N. MacArthur Blvd., Suite 120-223
Irving, TX 75063
County: Anderson
Previous Orders: None
Permit Number: 04-206-04728
Violations Cited: S.C. Code Ann. Regs. 61-25

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

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

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

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

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

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

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

| | |
|-----------------------------------|--|
| 31) <u>Order Type and Number:</u> | Consent Order 22-03-FOOD |
| <u>Order Date:</u> | February 8, 2022 |
| <u>Individual/Entity:</u> | 5 Star Market |
| <u>Facility:</u> | 5 Star Market |
| <u>Location:</u> | 37 East Main Street Andrews, SC 29510 |
| <u>Mailing Address:</u> | Same |
| <u>County:</u> | Georgetown |
| <u>Previous Orders:</u> | None |
| <u>Permit Number:</u> | 22-206-06527 |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-25 |

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

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

Update: The Department mailed a payment demand letter by certified and first-class mail on March 18, 2022 giving the Individual/Entity ten (10) days from receipt of

the notice to pay the full amount of the civil penalty. If payment is not received the Department will move forward with the intent to suspend the retail food service permit.

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

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

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

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

33) Order Type and Number: Consent Order 21-33-FOOD
Order Date: February 11, 2022
Individual/Entity: **San Jose**
Facility: San Jose
Location: 1475 Old Orangeburg Road

Mailing Address: Lexington, SC 29073
252 Meadowbrook Lane
Lexington, SC 29072
County: Lexington
Previous Orders: 2018-206-03-024 (\$1,600.00)
2019-206-03-084 (\$1,000.00)
Permit Number: 32-206-05903
Violations Cited: S.C. Code Ann. Regs. 61-25

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

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

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

34) Order Type and Number: Consent Order 21-16-FOOD
Order Date: February 14, 2022
Individual/Entity: **IHOP #419**
Facility: IHOP #419
Location: 1031 Assembly Street
Columbia, SC 29201
Mailing Address: 4515 LBJ Freeway
Dallas, TX 75244
County: Richland
Previous Orders: None
Permit Number: 40-206-08865
Violations Cited: S.C. Code Ann. Regs. 61-25

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

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

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

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

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

Action: The Individual/Entity is required to operate and maintain the facility in accordance with the requirements of all applicable regulations, including S.C. Regs. 61-25. The Department has assessed a total civil penalty in the amount of four thousand, two hundred fifty dollars (\$4,250.00). The Individual/Entity shall pay a civil penalty in the amount of four thousand, two hundred fifty dollars (**\$4,250.00**).

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

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

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

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

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

37) Order Type and Number: Consent Order 22-04-FOOD
Order Date: February 16, 2022
Individual/Entity: **Chaac Chicken Southeast LLC DBA
Bojangles #912**
Facility: Chaac Chicken Southeast LLC DBA
Bojangles #912
Location: 4131 Clemson Boulevard
Anderson, SC 29621
Mailing Address: 7750 N. MacArthur Blvd., Suite 120-223
Irving, TX 75063
County: Anderson
Previous Orders: None
Permit Number: 04-206-04727
Violations Cited: S.C. Code Ann. Regs. 61-25

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

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

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

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

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

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

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

39) Order Type and Number: Consent Order 22-09-FOOD
Order Date: February 24, 2022
Individual/Entity: **Fatz**
Facility: Fatz
Location: 1302 Montague Avenue
Greenwood, SC 29649
Mailing Address: 1361 W. Wade Hampton Boulevard
Suite F, #6
Greer, SC 29650
County: Greenwood
Previous Orders: None
Permit Number: 24-206-03159
Violations Cited: S.C. Code Ann. Regs. 61-25

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

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

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

On-Site Wastewater Enforcement

40) Order Type and Number: Administrative Order 21-068-OSWW
Order Date: January 18, 2022
Individual/Entity: **Janet Moore**
Facility: Janet Moore
Location: 316 Browning Road
Central, SC 29630
Mailing Address: Same as Location
County: Pickens
Previous Orders: None

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

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

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

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

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

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

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater,

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

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

| | |
|-----------------------------------|---|
| 42) <u>Order Type and Number:</u> | Administrative Order 21-072-OSWW |
| <u>Order Date:</u> | January 18, 2022 |
| <u>Individual/Entity:</u> | Brian Hunt and Melissa Hunt |
| <u>Facility:</u> | Brian Hunt and Melissa Hunt |
| <u>Location:</u> | 120 Eternal Lane Summerville, SC 29485 |
| <u>Mailing Address:</u> | Same as Location |
| <u>County:</u> | Dorchester |
| <u>Previous Orders:</u> | None |
| <u>Permit Number:</u> | None |
| <u>Violations Cited:</u> | S.C. Code Ann. Regs. 61-56 |

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

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

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

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

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

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

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

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

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

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

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

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

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

Action: The Individual/Entity is required to repair the OSWW system within five (5) days to effectively stop the discharging of septic tank effluent, domestic wastewater, or sewage to the surface of the ground; or immediately vacate the residence to eliminate the flow of domestic wastewater to the OSWW system. The Department has assessed a

total civil penalty in the amount of five thousand dollars (\$5,000.00). The Individual/Entity shall pay a **suspended penalty** in the amount of five thousand dollars (**\$5,000.00**) should any requirement of the Order not be met.

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

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

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

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

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

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

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

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

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

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

Violations Cited:

S.C. Code Ann. Regs. 61-56

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

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

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

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

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

Action: The Individual/Entity is required to cease and desist installing OSWW systems outside the parameters of the Department issued permit to construct. The

Department has assessed a total civil penalty in the amount of one thousand dollars (\$1,000.00). The Individual/Entity shall pay a civil penalty in the amount of one thousand dollars (**\$1,000.00**).

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

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

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

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

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

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

Summary: Lloyd Cobb, DBA Cobb Construction, LLC (Individual/Entity) holds a Department issued Master Contractor’s license, License # 11-366-11002. The Department conducted an investigation on September 21, 2021 and determined that several Approval to Operate Contractor Self-Inspection forms were submitted later than the required time frame and no final inspection was scheduled for the sites. The Individual/Entity has violated the South Carolina Onsite Wastewater (OSWW) Systems Regulation as follows: failed to arrange with the Department a time for a final inspection of an OSWW system that is being installed; and failed to submit to the Department the required documentation for the installed OSWW system, the Approval to Operate Contractor Self-Inspection form, within the timeframe specified in Regulation 61-56.2.

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

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

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